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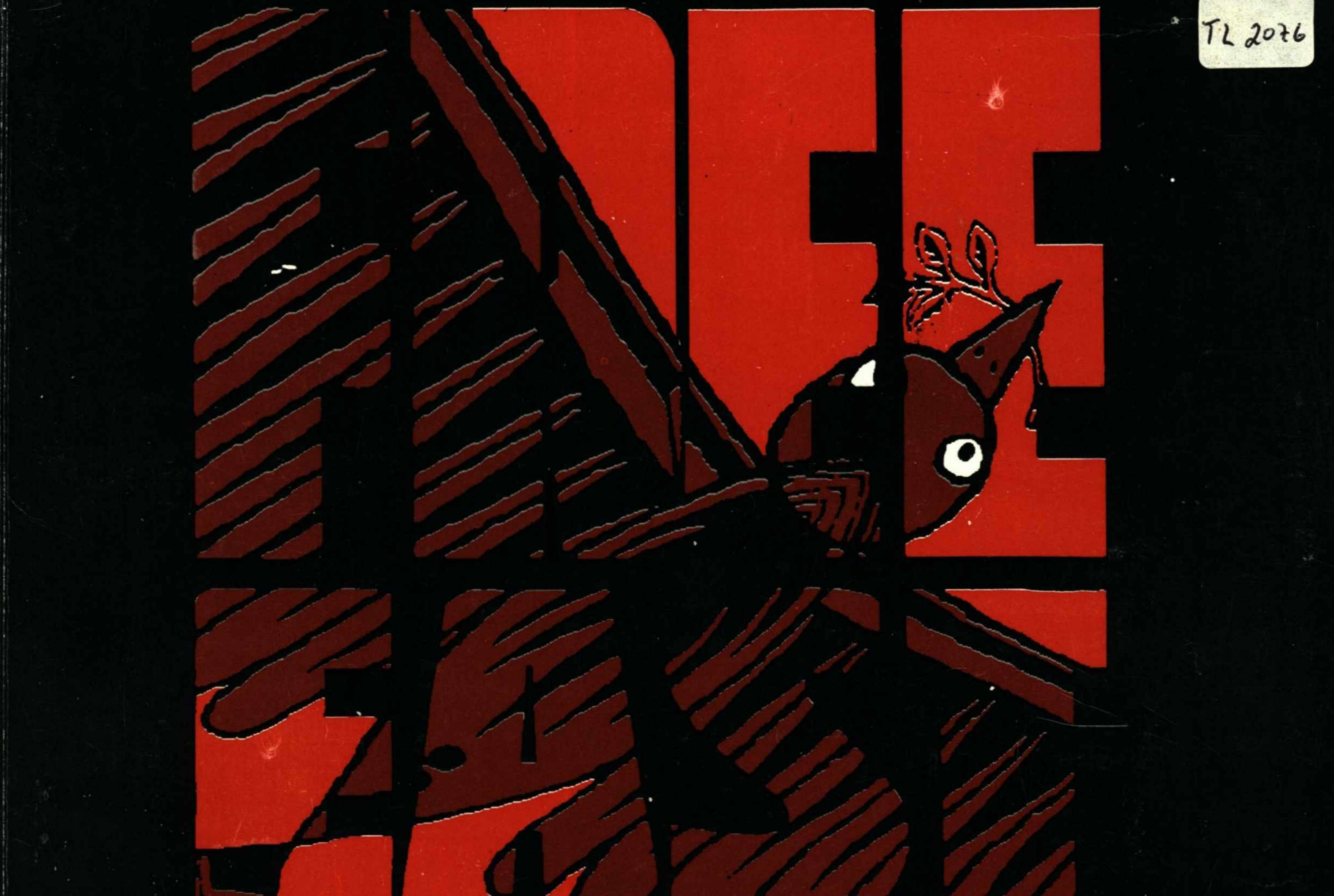

# Asia-Pacific Conference on East Timor (APCET)
## Report and Proceedings

May 31 - June 5, 1994
University of the Philippines, Diliman, Quezon City, Philippines

The Asia-Pacific Conference on East Timor (APCET) Report and Proceedings 1994

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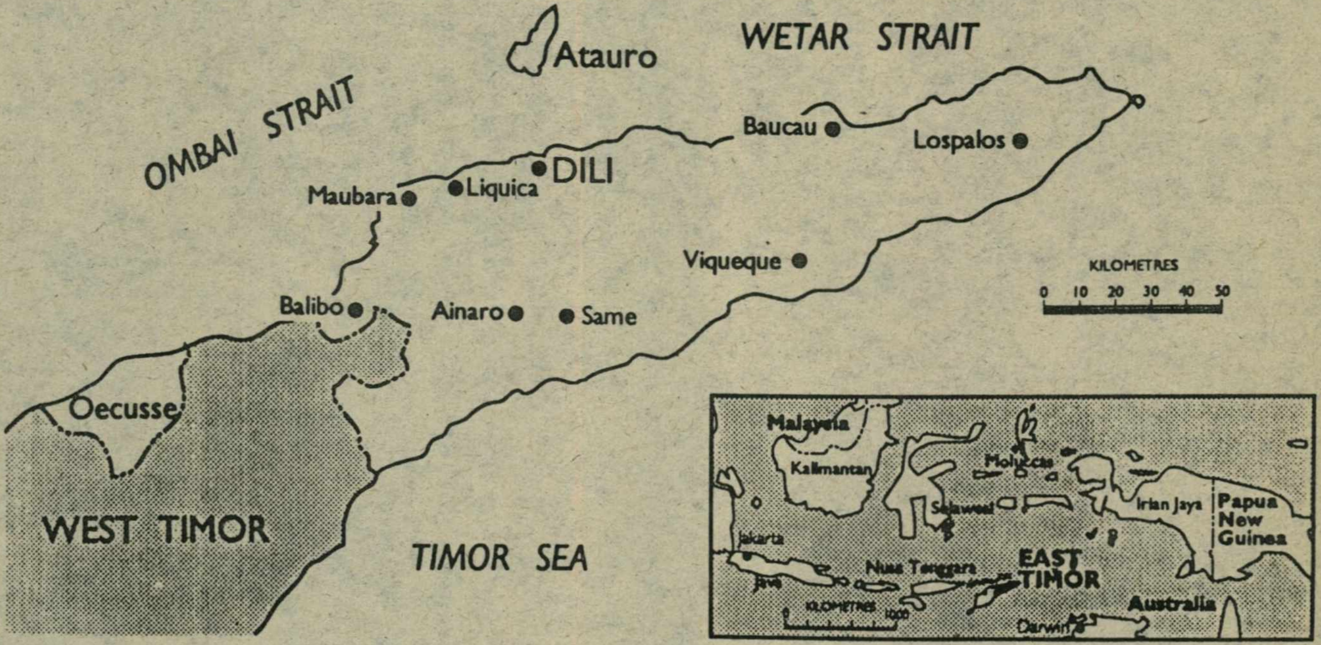
# The Asia-Pacific Conference on East Timor (APCET) Report and Proceedings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May 31 - June 5, 1994
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# FOREWORD

THE Asia-Pacific Conference on East Timor has come and gone.

In its wake, the conference has left the Philippine foreign policy in shambles, reaffirmed fears over the democratic pretensions of General Fidel Ramos' government and revealed a telling chapter in ASEAN realpolitik that confirmed the domination of the regional grouping by Big Brother Indonesia.

The handling of the issue by both Indonesian strongman Suharto and Philippine President Gen. Ramos calls into question not simply the gross human rights situation in East Timor but Indonesia's respect for its neighbors and the Ramos government's respect for the Philippine constitution. It also puts into question what sort of relationship ASEAN implies.

Already, Indonesia has not learned from its tantrums during APCET as it continues to bully its other ASEAN partners. Malaysia and Thailand have been the latest to crumble from Indonesia's adamant pressure to quash any discussion on East Timor in the region. Sadly, the region's governments have caved in, albeit in varying degrees, virtually making them silent conspirators in hiding Indonesia's dirty, bloody secret.

But the truth that is East Timor will never again be swept under the "ASEAN solidarity rug". For from APCET also emerged a victorious, broad, Filipino and Asian-based peoples solidarity movement for East Timorese resistance and human rights in general.

East Timor will no longer be confined to the halls of the United Nations nor whispered in the corridors of governments. Overnight it has become a popular issue when before only perhaps the grim and determined activist and grizzled diplomat may have heard of this tiny, but oil-rich island. Now even Filipino taxi drivers and cigarette vendors ask questions about East Timor. Even local sitcoms and cartoon strips have not been spared by the spreading tumor.

Advocacy for East Timor has also forged a fresh basis for unity among bickering progressive groups in the Philippines. And even for a while, APCET once again highlighted the Filipino people's passion and commitment to human rights and civil liberties.

Most telling, APCET brought into the mainstream the agenda, nay, the relevance of people-to-people solidarity- particularly among populations in the so-called South. It has given credence to the emerging discourse on peoples diplomacy. Diplomacy that is both mass-oriented and empowering.

It clearly showed that the interests of South peoples are always interrelated and complementary, as in this case: the East Timorese right to self determination vis the Filipinos' right to zealously defend their own human rights.

APCET was also a first experience of its kind and scale of South-South solidarity. Never before have we been witness to a campaign cum solidarity effort initiated and sustained by South peoples for another South people.

Conceived collectively by Asian human rights groups, international East Timorese solidarity networks, Filipino progressive groups and individuals and the main East Timorese independent and resistance groups, APCET was a watershed in Asian peoples solidarity expressions.

## The Global Context

APCET came at a time when superpower tensions eased in the wake of the demise of the Cold War. Concomitantly, blatant colonialism and hegemony became obsolete strategies in the conduct of affairs of states and nations.

The struggle for sustainable development also took center stage as states, movements, and multi-state formations found a common future in dealing with the twin problems of poverty and the environment.

In the meantime, Third World national liberation movements entered a new phase and era in their struggles.

Most of the world's festering revolutions emerged victorious via different paths, i.e. the African National Congress eventually dismantling apartheid and winning state power; the Farabundo Marti National Liberation Front succumbing to political negotiations and subsequently being pulverized in the electoral arena.

A few others plodded on with armed struggle strategies as in Peru's Shining Path and the Philippine's New Peoples Army.

Multi-state systems have proved inutile and ineffective in solving pressing global concerns. Bickerings have hounded international foras such as UNCED and Cairo.

A tri-polar world is meantime slowly emerging from the ashes of the Cold War with the centers based in the United States, Japan and Europe. Even then, the former Eastern bloc, China and the Newly Industrialized Countries are all eagerly calling the attention of the world to also have them counted.

Technology has shrinked the global village even more as access to information has become rife.

Parallel to this, a global civil society based on people's basic aspirations, concerns and issues is also evolving. This process is animating entire communities, peoples organizations, sectoral groups and is transcending national borders.

This phenomenon, anchored on solidarity, portends to be the sparkle of the future.

## South-South Solidarity

The demise of the Cold War has brought to the fore once again the North-South contradiction and with it, the need for South-South solidarity and cooperation. It is the proverbial clash between the haves and have nots, the strong and the weak - that has for centuries shaped the destinies of peoples and carved the boundaries of nations.

South-South people's solidarity is the global vision of all those strongly rooted in their respective social movements, seeking to come together to evolve a concerted and complementary effort for their own as well as mutual liberation.

There have been efforts to develop this solidarity, dating as far back as the Non-Aligned Movement of Nehru and Sukarno. Even Julius Nyerere's South Commission worked for the realization of this dream. Most of these, however, have been initiated by government's and can only go as far as their national or even more limited political interests converge.

The record of South-South cooperation had so far been dismal, with the South countries often more interested in fighting among each other for the largesse of the North. Ironic, but not surprising, is when some stronger South nations run roughshod over weaker peers in their own efforts to confront the onslaughts of the North.

The South is not only the peoples of the Third World. They also include within the North: the disenfranchised, the marginalized, the homeless and those who steadfastly remain in solidarity with the Third World.

The official reaction to the conference only confirmed that the issue of human rights can never be left solely in the hands of governments.

There may also be laudable efforts to prevent the North from recolonizing the South under new forms of domination as espoused by states such as Indonesia. But a mass extermination of a people, nay, even of one human life at the altar of greed whenever and wherever is wrong and deserve the strongest condemnation from all civilized peoples of the world. More so if over 200,000 East Timorese lives buried in their country's bleeding earth cry out for justice and vindication.

Verily, the East Timor struggle likewise presented a concrete opportunity to enflesh genuine south-south solidarity.

It is efforts like these that will engender a truly dynamic South-South solidarity and in the process help liberate our respective peoples.

The East Timorese issue was a lingering boil that needed to be radically ruptured.

East Timor was anyway an Asian, particularly, a Southeast Asian concern. More so for Filipinos who had more in common with the East Timorese than any other Asian people. Both are predominantly Catholic, owing to centuries of colonization by Iberian powers— Portugal for East Timor, Spain for the Philippines. Both have also a long history of struggle for freedom and democracy.

Since Indonesia forcibly and brutally annexed East Timor in 1975, the Timorese struggle has generated widespread support from peoples all over the world specially in the West. The struggle of the Mauberes had virtually reached an untenable stage. Most of the world— as shown by consistent United Nations resolutions— continue to support their legitimate cause. But it had yet to galvanize solidarity where it belongs, Asia.

APCET wanted to bring East Timor home.

It took almost two decades and more than 200,000 deaths before the anguish and virtual death of this nation finally reverberated in Asia and the rest of the world.

In a way, APCET was the Maubere people's vindication, their resurrection.

# Breaking the Silence: The Story Behind APCET

**Augusto N. Miclat, Jr.**

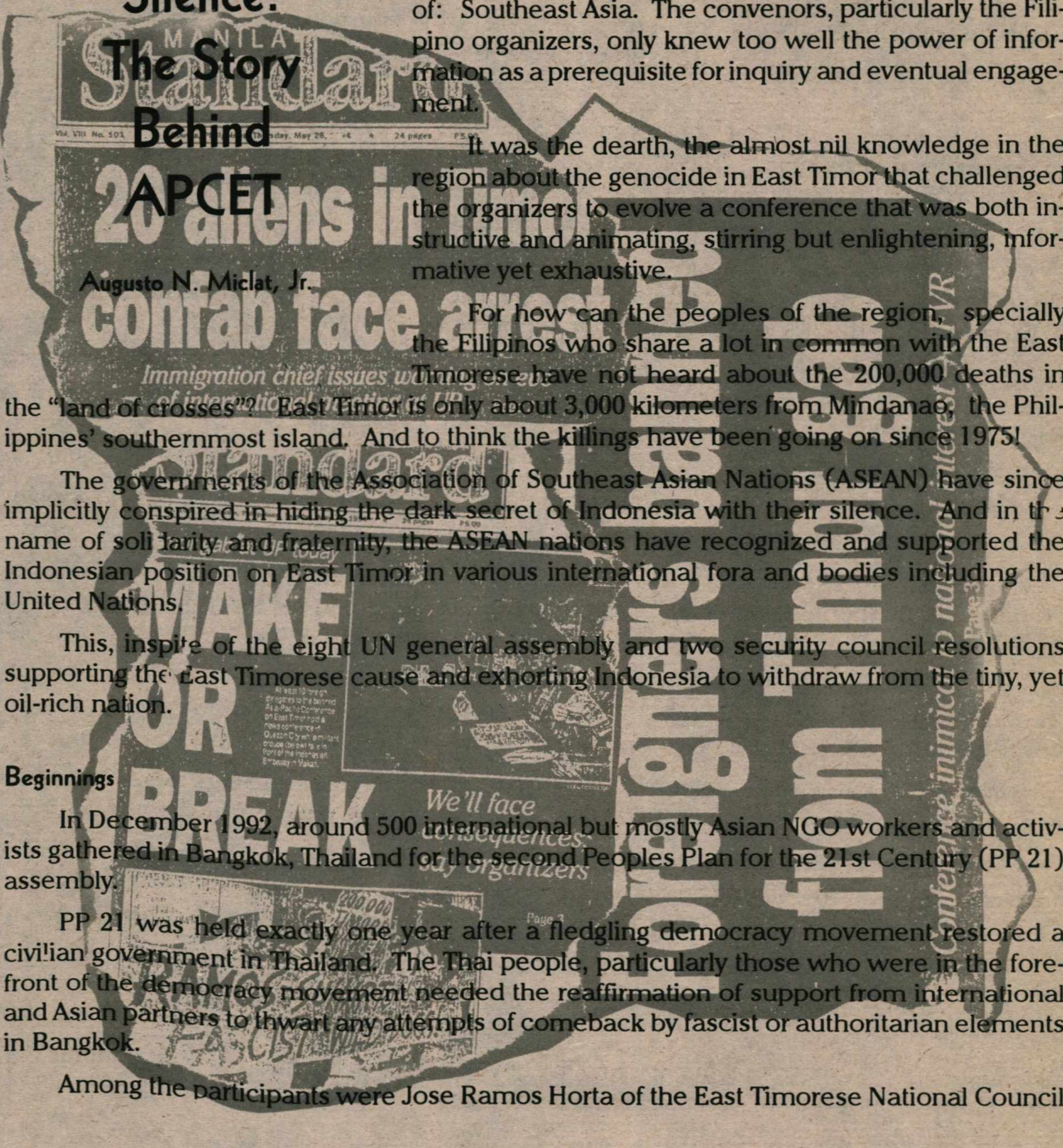
PERHAPS it was only in our wildest dreams as organizers of the Asia-Pacific Conference on East Timor (APCET) that we could have conceived and expected the actual outcome of the gathering.

We are still reeling from its aftermath.

For the convenors of APCET were definitely determined to herald the East Timor issue in the only region where it really mattered but where it was sparsely heard of: Southeast Asia. The convenors, particularly the Filipino organizers, only knew too well the power of information as a prerequisite for inquiry and eventual engagement.

It was the dearth, the almost nil knowledge in the region about the genocide in East Timor that challenged the organizers to evolve a conference that was both instructive and animating, stirring but enlightening, informative yet exhaustive.

For how can the peoples of the region, specially the Filipinos who share a lot in common with the East Timorese have not heard about the 200,000 deaths in the "land of crosses"? East Timor is only about 3,000 kilometers from Mindanao, the Philippines' southernmost island. And to think the killings have been going on since 1975!


MANILA Standard
20 aliens in Timor confab face arrest
Immigration chief issues w
MAKE OR BREAK
We'll face consequences, say organizers
foreigners barred from
Conference inimical to national interest — FVR

The governments of the Association of Southeast Asian Nations (ASEAN) have since implicitly conspired in hiding the dark secret of Indonesia with their silence. And in the name of solidarity and fraternity, the ASEAN nations have recognized and supported the Indonesian position on East Timor in various international fora and bodies including the United Nations.

This, inspite of the eight UN general assembly and two security council resolutions supporting the East Timorese cause and exhorting Indonesia to withdraw from the tiny, yet oil-rich nation.

### Beginnings

In December 1992, around 500 international but mostly Asian NGO workers and activists gathered in Bangkok, Thailand for the second Peoples Plan for the 21st Century (PP 21) assembly.

PP 21 was held exactly one year after a fledgling democracy movement restored a civilian government in Thailand. The Thai people, particularly those who were in the forefront of the democracy movement needed the reaffirmation of support from international and Asian partners to thwart any attempts of comeback by fascist or authoritarian elements in Bangkok.

Among the participants were Jose Ramos Horta of the East Timorese National Council of Maubere Resistance and prominent Filipino human rights advocates and development workers.

Horta was one of the resource speakers during the assembly and one of the various sub-conferences and workshops dwelt on the situation of East Timor. A people's tribunal was eventually organized which later determined Indonesia guilty of genocide in East Timor.

That verdict was one among the many resolutions churned by the assembly and sub-conferences.

At that time, the Thai media paid scant attention to the tribunal proceedings and focused instead on the attempted demonstrations at the Burmese embassy and the anti-mass and commercialized tourism sub-conference— two of the more popular issues tackled at PP 21.

This seeming disinterest or ignorance on East Timor even among social activists was glaring and rather pathetic. This observation was discussed in informal sharing sessions and led to more formal brainstormings among some of the participants, particularly the Filipinos and the East Timorese who found a lot in common in their situations.

It was during these discussions that the idea dawned on holding a conference on East Timor and Indonesia within Southeast Asia. The Filipinos who met with the East Timorese would later form the nucleus of the Philippine Convenors Group for APCET.

The plan was to organize a conference tackling the legal, political and cultural aspects of the East Timorese resistance so as to provide the larger Asian-Pacific public a comprehensive view of the situation. In fact there were even ideas emanating from the East Timorese themselves to discuss their situation in the context of other self-determination struggles.

The search for a possible venue in the region was resolved in favor of Manila in consideration of the following:

The Philippines and East Timor are both predominantly Catholic, owing to centuries of colonization by Iberian powers - Portugal for East Timor, Spain for the Philippines. Both have long history of struggle for freedom and democracy.

In the political field, the Philippines offers a relative democratic space vis the possibility of an unbridled media coverage without the danger posed in authoritarian and militarist governments in the region (later events would prove that this was not so).

Manila is a gateway to the Pacific offering access to both Asia and the rest of the world. Filipinos are also very conversant in English, the international language.

Most importantly, Manila is home to many a dynamic people's organization and NGOs concerned with human rights and other peoples struggles. The Philippines has one of the most active people's movement coming from a broad spectrum of resistance in the whole of Asia.

### Preparations

Manila, it was then. But first we had to convene a broad coalition of human rights and progressive groups willing to host such a conference.

Even as the Philippine progressive community was on the verge of self-flagellation due to spirited debates, no major problems were expected in organizing a convenors group.

Among the Filipinos who attended the Bangkok meeting was this author and Renato Constantino, Jr., son of his namesake the distinguished Filipino nationalist historian Renato Constantino. RC, as he is known was himself a street parliamentarian and in his own words an "illustrado, bleeding heart, do-gooder". He was tapped to convene such a group. Constantino did not belong to one single political bloc at that time, and enjoyed some sort of respect from almost all progressive groups, thus had the prestige to convene such a group.

The East Timor issue was anyway generic in nature and all political blocs could easily identify with this sans the bickerings about rhyme, method and line. They could easily set aside their differences and perhaps re-learn working together while dealing with East Timor.

A secretariat ran professionally that was likewise above the nascent progressive debate was necessary to carry through the East Timor conference.

The Initiatives for International Dialogue, an independent Filipino NGO working for South-South solidarity and internationalism was unanimously elected to backstop the conference.

All major political groups attended the initial meetings for the conference even as raging domestic concerns had to be confronted: oil price increases, persistent militarization of the countryside and of the civil bureaucracy, land reform, peace and order, etc.

Preparations cranked up as early as January 1993. The conference, initially dubbed "International Conference on East Timor and Indonesia (ICETI)" was set for May 1993. Organizers also wanted to relate the incipient democratic movement within Indonesia to the fate of East Timor.

Lack of resources and other pressing concerns however hampered the preparations. The convenors also deemed that the Philippine public and media had first to be made aware of the issue to prepare the ground for a conducive conference. An educational campaign was necessary as even the convenors themselves had to brush up on the brasstacks on the East Timor issue.

The conference was postponed to November, 1993.

Again, this had to be rescheduled. This time, a showdown at the United Nations between the East Timorese and the Indonesians loomed in October. The principals for the conference would not have been able to attend their own conference!

The conference was postponed anew to 1994. Final dates were to be agreed upon by the principals during a symposium in Portugal.

This author who was the ICETI coordinator, and Constantino were invited to attend the symposium and course in Portugal on East Timor and Indonesia. This was considered an apt preparatory "exposure" and exercise for the key organizers of the conference. It was also an opportunity to meet again the East Timorese partners and consolidate plans for the twice-postponed conference.

The Portugal symposium was held in August, 1993.

It was on this occasion that the Filipinos met again with Horta and the other mainstream East Timorese groups, particularly Fretilin and the Union of Democratic Timorese (UDT).

Despite having their own internal conflicts (it was during this time that the Fretilin ousted their external delegation chairman for initiating talks with Indonesia), the East Timorese were unified in the plan for a Manila conference.

Finally, the conference was set for May, 1994.

Among the decisions agreed upon in Portugal was to scale down the scope of the conference. ICETI gave birth to the "Asia-Pacific Conference on East Timor (APCET)" Apart from the East Timorese, other international groups likewise signified their co-sponsorship of APCET. Among them were the Parliamentarians for East Timor and the International Platform of Jurists for East Timor.

The Lisbon meeting also decided to launch a short public awareness campaign at least two months before the conference. In fact, the sending of an East Timorese cultural group to perform and interact around the Philippines was also explored.

### Ominous Rumblings

By October 1993, the Philippine government got wind of the plan via a jittery report emanating from the Department of Foreign Affairs.

It appeared that Indonesian Foreign Minister Ali Alatas raised the issue with Filipino diplomats during talks between the Philippine government and the secessionist Moro National Liberation Front (MNLF) which was being hosted by Jakarta.

The handling of the problem was passed on to Philippine National Security adviser Gen. Jose Almonte who eventually tried to reach out to the conference organizers.

He succeeded in contacting Constantino, who was elected APCET Filipino conveners chairman. But Almonte had to first approach the elder Constantino, thinking the historian was the one reported to be the APCET chair.

This was when the Constantino-Almonte "affair" started.

Almonte was to regularly get in touch with Constantino for updates about the project and Constantino cooperated by giving him information. Constantino's colleagues in the convenors group ribbed him of being Almonte's newest "asset" because of this.

At that time, President Ramos badly needed an explanation to give Suharto about the conference as he was expected to meet the Javanese strongman at the Asia-Pacific Economic Council (APEC) meeting in Seattle in November 1993.

We drafted a memorandum addressed to Almonte discussing the concept of the conference and explaining why the convenors could not accede to the government's knee-jerk request for this to be aborted. The Philippine government was claiming that APCET was becoming a national interest issue as the Indonesians adamantly demanded to nip the conference at the bud.

Everything was above board, preparations were well underway, invitations were being finalized. The convenors were expanding (one group however decided to withdraw in deference to a policy of not working with presumed Leftist "renegades"). Dates have been set, contracts have been drafted. Participants, guests and speakers have booked their flights. Papers were being outlined, people were being hired if they were not coming in as volunteers.

Even then, the convenors group decided not to expose the government's entreaties at the risk of scuttling the conference altogether. Badly needing publicity for the conference, they did not use Almonte's implorations to generate the awareness necessary for the conference. In fact, the organizers were still tugging their brains on how to land APCET in the front pages.

Friends in media said that at best, the conference will be scarcely mentioned with the attendance of the initial bigwigs who signified their intention to attend: French First Lady Danielle Mitterand, Dalai Lama, Bishop Desmond Tutu, Portugal's First Lady Maria Soares Barrosso.

The earlier memorandum the secretariat prepared for Almonte somehow found its mark as the General agreed that the conference cannot be stopped. The organizers through Constantino also assured him that the conference will not be a rabble-rousing party nor will it be patently one-sided. In fact the organizers invited the diplomatic corps, including the Indonesian embassy and pro-Indonesian East Timorese to the conference to also give their side of the issue.

By this time, Almonte had already referred to Constantino as his "best friend" as he tried to assure the Indonesians of the sober conduct and content of the conference.

Even then, Almonte suggested different tacks: move the conference to another country, discuss human rights in general (he even proposed that the human rights issue of the Philippines be given prominence), change the title, if not, scrap the conference all together.

Almonte likewise provided names given by the Indonesians to attend the conference. Even before he gave them, two of the four names he produced had already been either invited or have confirmed attendance to the conference.

There was no turning back.

### Blackmail and Backdoor Diplomacy

Meanwhile, the Indonesians were stepping up the pressure on the Philippine government, albeit still within quiet diplomatic channels.

Indonesia claimed that not stopping the conference might upset the fraternal relations enjoyed by the two ASEAN partners. Indonesia crudely held hostage the ongoing Jakarta talks between the Philippine government and the MNLF. It even brought up the Spratly islands issue wherein the Philippines was a claimant. The Indonesians were playing mediators with the other interested countries: Vietnam, China, Malaysia and Brunei.

Indonesia also hoisted the issue of investments, noting that the East Asia Growth Triangle of which the Philippines, Indonesia and Malaysia were partners might be jeopardized because of APCET. A conference on the growth triangle was also scheduled in the Philippines in May.

No wonder the memorandum of the Department of Foreign Affairs was frantic. They knew how the Indonesian military minds worked: they better get all they want or else!

Indeed, the Indonesians cryptically threatened the Philippines that if the conference pushes through, they will consider this a "hostile act". This, even if APCET was a purely private initiative. Even if the plans had been made way back in 1992 long before the Jakarta talks.

Seriously, considering the so-called national interest, the Filipino convenors proposed to the Philippine government that it should instead "do a Jakarta to Jakarta"— propose to mediate the conflict of Indonesia with the East Timorese. The Filipino convenors got back to their East Timorese partners and convinced them to accept any possible Philippine government role to broker talks between the Indonesians and the East Timor resistance.

The East Timorese agreed.

No word was heard from the Philippine government side. The convenors were even prepared for a scenario wherein Gen. Ramos emerges as a statesman cum peacemaker for promoting such talks and pursuing its succesful conclusion. Indonesia could have also found a graceful exit of the contentious issue if the Philippines hosted such talks even in secret. The convenors, who have been consistent critics of government was prepared to let this possibility occur with Ramos getting all the credit. He could have even ended up gobbling a Nobel Peace award.

But even this historical possibility was lost on the Philippine government's myopic diplomacy.

### Opening Salvo

Behind all this diplomatic quibblings organizers were busy preparing the launch of the public education campaign.

Pedro Pinto Leite, secretary-general of the International Platform of Jurists for East Timor (IPJET) was invited to Manila and discuss the legal basis for East Timorese self-determination before an audience of law students and lawyers. His discourse was not meant to whip up a publicity storm for East Timor as much as we would have wanted but was aimed to focus more on the cerebral, sober discussions of the legal aspects of the Maubere people's struggle.

Leite then made the rounds of the convenors organizations to deepen their understanding of the issue that they were advocating. The ensuing exchange proved to be more educational for the organizers as the depth and breadth of the Maubere people's resistance was ventilated even more.

Pinto's two-week stint in Manila earned APCET a side bar or two in the inside pages of at least two broadsheets. The reports even indicated that IPJET was the main sponsor of APCET.

Meanwhile, the APCET secretariat was shifting to gear gear as confirmation of arrivals from particpants and guests trickled in. The technicals were slowly being set in motion as most of the convenors started to become more active in the preparations. But even up to the last minute, new groups signed up as convenors, the last of which was the University of the Philippines student council — but that is getting ahead of the story.

The perpetual problem of logistics began to hound the organizers. Deposits had to be paid, contracts had to be inked.

APCET was barely three weeks away.

Then it happened.

### Upsetting the Generals

On May 10, 1994, a Japanese wire agency frantically got in touch with APCET to get reactions on Indonesian moves to go public over its displeasure of the Philippine government's handling of their request to stop the conference.

The wire agency revealed that the President's palace, Malacanang, was some sort of a beehive that day.

Truly enough, the next day, lo and behold, newspapers bannered the story of an Indonesian embassy official denouncing the government's ineptitude in stopping the conference which was still a full two weeks away.

The same item reported that Indonesia was not satisfied with the Philippine government's explanation that it cannot stop APCET, a privately-initiated conference.

The APCET organizers ignored the initial public diatribe of the Indonesians.

But when Philippine Vice-President Joseph Estrada came out with a public statement admonishing APCET organizers for not being sensitive to Indonesian sentiments, the battle was joined.

Estrada tried to explain the official government line to Ali Alatas in Pretoria where they were both attending the inauguration of South Africa's first black president , Nelson Mandela.

The Indonesians maintained their belligerence, rebuking the Manila government and exerting increasing pressure on Ramos to cancel the conference. Never mind that the Philippines was an independent country. Never mind that we have our own constitution. Never mind that we have different values.

Sadly, the Ramos government blinked.

When it first maintained the position that it could not stop the conference but remains a steadfast friend of Indonesia and supports its position on East Timor, this merited grudging accolades from the organizers themselves, perennial government critics and even from the editors of New York Times.

Then it completely buckled to the Indonesian blackmail by first calling into question the APCET organizers' patriotism.

The government started to pass on to APCET the heat from Jakarta. But it did not know what policy to follow. It merely wanted the APCET organizers to change their minds, pack up and hold the conference somewhere else — if at all.

This pathetic stance succeeded in opening the government to more criticisms even from within its own bureaucracy.

Government apologists meantime warned that Manila might become the base for lost causes in the region, a bastion of subversion for the sputtering insurgencies in the Third World.

The media war was on.

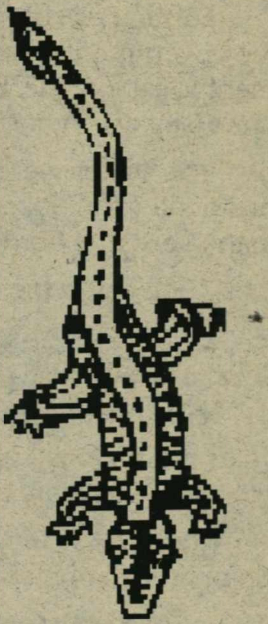
At this time, APCET was besieged with interviews and calls from the media. Foreign and local participants were also seeking for advise. They were caught in between the increasing tensions and were not sure if the conference would push through.

The organizers then tasked Constantino to be the sole spokesperson of APCET to have one single voice and to provide the focus on the issue.

The coordinator was left free to harmonize operations — to hold the fort.

The Indonesian embassy sought out the organizers and met with Constantino offering to present their own perspectives about East Timor. They asked again if the conference could be cancelled. Constantino instead reiterated APCET's invitation for the Indonesians to attend the conference.

Meantime, the First Lady of France, Danielle Mitterand was the subject of press reports that she had decided to withdraw from the conference upon Indonesian appeals. This was not however confirmed to the APCET organizers. Mitterand was to only finally decide a few days before APCET's opening day.



The French First Lady would later cite gross Indonesian pressure for her withdrawal. Indonesia threatened to make things harder for Manila if she were to proceed with her keynote speech.

Intensifying further the pressure, Indonesia postponed indefinitely the ongoing Jakarta talks between the Philippines and the MNLF. Then it banned its 200-strong delegation from attending the East Asia Business Conference slated in the Philippines at the same period APCET was scheduled. It also started to organize government pickets at the Philippine embassy in Jakarta as it encouraged the Filipino business community there to appeal to the APCET organizers to cancel the confab.

Meanwhile, the Miss Universe pageant, which was on-going in Manila at that time, was relegated to second lead by the media due to APCET.

The Philippine government had wanted the pageant to refurbish the image and sell the Philippines to the international community by hosting the event. Preparations had started almost three years ago. But the APCET brouhaha stole the show, much to the consternation of tourism officials—their preparations went all for naught. Even Indonesia's candidate to the pageant was not spared the controversy—she arrived to captions in newspapers linking her to the burning APCET fracas.

Failing to impel the organizers, government tried another tack. It tried to convince the state-operated University of the Philippines to disallow the use of the university facilities for APCET.

We had originally wanted to hold the conference in a more comfortable venue, like a hotel that had the amenities for an international conference. But we lacked the wherewithal thus were forced to scout for the cheapest venue in town. We found the university.

Even then, APCET had yet to ink contracts with the hostels and conference venues within the university. Reservations were made, but no contracts were signed due to lack of funds. When the controversy became public the convenors were forced to grope more aggresively for money to pay the downpayment.

But the university as a venue proved to be a windfall.

A new issue was introduced. By instigating the university to cancel the reservations, the academic community rose up in arms against the central government's blatant interference of its independent charter. Academic freedom was now also being jeopardized.

Fortunately, UP refused to budge even as some of its officials expressed solidarity with the government's line over East Timor. It turned down the request of the national government to cancel APCET's reservations. The Indonesians could not understand why a state university was being allowed to be used for an event they deemed unfriendly.

The stakes were raised further. After pulling out of the businessmen's conference and postponing the Jakarta talks, the Indonesian navy harassed and arrested Filipino fisherfolk in the seas that bordered the two countries.

Then came the 1-2 punches by the Philippine government.

### "National Security"

First, citing national security, President Ramos in a style reminiscent of the Marcos years dramatically signed a handwritten memorandum banning the attendance of foreigners to the international conference. This was on May 21, eight days before APCET.

Ramos' list included Horta and some others who had ironically already signified their non-participation at APCET.

APCET organizers countered by releasing selected names of who were coming to APCET among them the Japanese Catholic Bishop Nobuo Soma and Irish Nobel Peace Prize awardee Mairead Maguire. The organizers calculated that the government would think twice to include them in the ban. It did not anticipate the depth of weakness of the Ramos government and the extent of influence General Suharto had on our government. Bishop Soma and Maguire were summarily placed in the government's blacklist.

And when some of the foreign participants already in the country surfaced and appealed to President Ramos to rescind his order, their names too were added to the blacklist. The knockout punch was delivered as a local court hastily issued a restraining order on Constantino and this author to stop the holding of APCET on the scheduled dates and enjoined the university not to allow its facilities to be used.

The magistrate, a former military judge who was also responsible for convicting Filipino patriot Ninoy Aquino to death, issued the order in favor of a petition filed by a shady organization called the Philippine-Indonesian Friendship Society.

And adding high stakes threats, the Philippine department of foreign affairs issued a warning to all foreign diplomats in the Philippines to shy away from APCET and for all airlines not to ferry any foreign participant to Manila to attend APCET.

APCET has by this time become an international issue.

It was to remain much more after APCET participants vowed to defy the government's illegal moves vowed and proceed with the conference. Foreign participants also dared the government ban.

This time, no one was blinking.

When Nobel Peace prize awardee Mairead Maguire arrived in Manila to attend APCET, she was promptly deported.

Bishop Soma was denied entry by a Pakistani plane that was to bring him to Manila from Japan. All told, 11 foreigners were deported from Manila. Four Sri Lankans, an Australian, two Portuguese, two Irish and an American were among those "dearly deported".

But not first without the accompanying fanfare.

The government was commiting blunder after blunder. Its black-list ballooned as the delegates arrived and as the Indonesians supplied them with updated names.

But a lot of foreigners manage to slip through.

Among those banned were names the government earlier gave to the APCET organizers to invite. They were supposed to carry the Indonesian banner at APCET.

A dead bishop was also banned. So were the French and Portuguese First ladies who had already said that they were not coming anyway.

This faux pas after faux pas only served to isolate the government even more. Media was pulverizing Ramos for the government's "worst foreign policy disaster since World War II" and citizens from all walks of life issued statements of support to APCET.

More importantly, the Filipino people's passion for human rights was roused anew. And the broad progressive movement that led the struggle against the Marcos dictatorship was once again united — even just for a fleeting moment.

Braving a court contempt and possible arrests, organizers stood firm and determined the court order was illegal. Almost all lawyer groups in the country agreed. Presidential spokespersons even threatened that treason charges, punishable by death in the country, would be levelled against APCET organizers.

The battlefield was polarized: The majority of the Filipino people, champions of human rights around the world, media on one hand against the Indonesian and Philippine governments and their militarist and reactionary apologists and advisers on the other.

The organizers were ready to be arrested. And most of the foreigners inside the country were also ready to be deported. They did not appear in the summons to appear at the immigration bureau which earlier revoked their visas. Instead a battery of APCET lawyers trooped to the bureau to win a postponement of their hearings.

And as the nation waited in bated breath for the opening day, the dean of the law school of the University of the Philippines together with other APCET convernors not named in the court suit went to the Supreme Court to try to overturn the restraining order.

### Triumph

Three hours before the opening session on May 30, the Supreme Court did overturn the lower court's illegal order. But it maintained the right of President Ramos to ban foreigners from the international meet. APCET would be allowed as long as Filipinos were the only ones attending this.

Organizers ignored this self-styled "Solomonic decision" and mapped out alternatives.

If the foreign delegates already inside the country were really not allowed to attend, organizers planned to have them all converge outside the conference venue and hold some sort of a vigil. Then the Filipino delegates inside will come out of the hall and join them outside to report the proceedings. A cultural cum solidarity program will then ensue.

Another idea was to have cut-outs or mannequins of the banned foreign speakers sit in their supposed places inside the hall.

It turned out that we did not have to resort to these. The conference proceeded as scheduled and the drama was maintained thanks to the Damocles sword hanging over the foreigners. The foreign participants had to be escorted and fetched to the session hall by a phalanx and cordon of security personnel from the organizers' ranks.

The government finally succumbed.

The Indonesians had also signified that it was placated by the foreigners ban, even if a lot of aliens still managed to attend the entire conference without any hitch.

In an agreement, the government dropped the deportation proceedings against the foreigners as the latter agreed to leave the country a week after the end of APCET. They were all, anyway, expected to leave by then.

The conference went on.

Peacefully. Colorfully. Tensely.

The rest was history.

At the voices of the silenced Maubere people reverberated beyond the conference.

East Timor has finally come home.

## Epilogue

*At the height of the APCET controversy, the Philippine government suffered a diplomatic bashing. Manila even sent a high-powered delegation to Jakarta to try to appease the Indonesians. This was in vain. Suharto did not even meet them.*

*And when the Ramos government practically knelt on bended knees before Jakarta, Manila's archbishop and leader of the Philippine Roman Catholic church, Jaime Cardinal Sin, came out with a scathing letter expressing disappointment and apologizing for the actions of "his government". Sin addressed his public letter to the East Timorese bishop, Carlos Ximenes Belo.*

*Sin's position further isolated the Ramos government and helped galvanize public support for APCET.*

*The East Timor issue continued to hug the headlines even months after it concluded in Manila. Filipinos awoke one day to find out that a supposed APCET Part Two was being planned to be staged in Davao City — the host of the postponed East Asia Business Conference (EABC).*

*It turned out that the rumor about an APCET 2 emanated from the Philippine intelligence community. Perhaps, they wanted to generate a public backlash against the APCET organizers for overkill.*

*The Indonesians too did not learn from APCET.*

*In Kuala Lumpur, the Malaysian government was twitted by Jakarta for not being able to stop a similar conference on East Timor held there by human rights advocates after APCET.*

*And recently, three supporters of East Timor were deported by Thailand as a human rights conference tackled the issues of Burma and East Timor in Bangkok.*

*It seems that reactionaries never learn.*

*It is in their nature to repeat their mistakes.*

**Augusto N. Miclat,Jr.,** *is Coordinator of APCET, the conference and is the ad hoc Coordinator of APCET, the coalition. He is also the incumbent Executive Director of the Initiatives for International Dialogue (IID), an independent and professional Philippine NGO advocating and working for South-South solidarity, global education and internationalism. IID also serves as the APCET secretariat.*

# Welcome Remarks

## Freedom is never granted, it is fought for!

**Renato Constantino Jr.**

BEFORE I begin, I would like to take this opportunity to thank all those who have supported us. I would like to give special thanks to Titus Brandsma who made an unsolicited offer of the use of its facilities in case we had any venue problems. Titus Brandsma is an institution named after a man executed by the Nazis for his assertion of the right to free speech. I would also like to thank the following who offered their facilities despite the issuance of the so called Temporary Restraining Order (TRO): the San Jose Seminary through its Rector, Father Joel Tabora, my comrade in the Kilusang Roll-Back, and Prof. Ed Villegas of UP Manila. However, I would also like to thank, because they don't know who or what they are: the bullies of Jakarta and chimps from Barangay Malacanang. Immediately upon the issuance of the so called TRO, we declared that the conference would go on. And it shall.

Ladies and gentlemen, *mga kababayan*, friends from distant shores including those who have been summarily deported, and those who continue to support East Timor and this conference from their respective homelands, on behalf of the Philippine Host Convenors Group, I do not welcome you to the 28th province of Indonesia; instead I welcome you to the open arms and warm embraces of free Filipinos.

The events that have unfolded these past two weeks, culminating in the issuance of the TRO, have torn the shroud of silence that has cloaked the East Timor issue. The very thing that Indonesia wanted to prevent the world from knowing with the servile assistance of the Philippine government, has now gained worldwide attention.

Just a brief review about the genesis and history of this conference. This whole thing started in 1992 at an informal gathering of several nationalities including Timorese led by CNRM's Jose Ramos Horta, before and after a tribunal on Indonesia in Bangkok. Needless to say, Indonesia never reacted even though the form of the activity was a tribunal which condemned Indonesia.

Immediately starting 1993, we made a firm decision that the conference would be hosted, in fact, by Manila. In principle agreement, although informal, in Bangkok in December of 1992 was confirmed by different progressive groups in Manila in January of 1993. Immediately invitations were sent out, proposals were both sent out as well as received, ammendments to the program were issued back and forth culminating in a final program format in July 1993. It was only in November 1993 when National Security Adviser, Jose T. Almonte tried to make contact with me. This was based on information provided the governmnet of the Philippines either early November or late October of 1993. Informations coming from the Indonesian Foreign Minister Ali Alatas mentioning the international conference that is supposed to be held in Manila, and mentioning my name as well. On this basis, Sec. of Foreign Affairs Alberto Romulo worked a secret of urgent memo which was shown to me a few days after I was first contacted by General Almonte which indicated this information.

From the beginning we have been very open since there was nothing to hide. As a matter of fact, one day after Gen. Almonte got in touched with me, he requested me to sumbit to him a description in writing of our discussions on November 8. I faxed a description of this conference including the names of international organizations who are supporting this conference on November 9 which he used to brief the President Ramos before he (the president) departed for Washington on November 10.

On November 11, I had a face-to-face meeting with Gen. Almonte and it was, at this instance, inspite of the fact that I have already indicated in the memo that we fully intended to invite Timorese from all groups including representatives from the Indonesian and Portuguese governments, he was always concerned that the conference might be one-sided. On Nov. 11, I told him all we have to do was give me the names of any Indonesian official and we would invite them. If the Indonesian did not want to send an official representative we would still invite any proposed NGO or individual with no official connections with government but who were trusted by the Indonesian government. The same offer of openness was given to a high Indonesian Embassy official last April 29, 1994.

It was only on May 1994 when I received a fax from Gen. Almonte which was a copy of a fax sent to him by Undersecretary Severino of the Department of Foreign Affairs, recommending four names of Timorese of the other side for possible inclusion or invitation. Upon reading the names, I immediately noticed the last name Abilio Araujo and I told Gen. Almonte immediately that this proves that our offer of openness did not have even to require his submission of these names because that person had already been invited and had already registered to the conference. So that should demolish any idea that this conference was set-up to set up Indonesia. Of course, Indonesia deserves whatever we can give it.

The whole thing exploded, mind you, since November to May. Nothing came out in the media from me. I was discreet about the whole thing. I could have gained publicity for the conference but we did not. The whole publicity came about when an arrogant Indonesian Embassy official started to decalibrate an escalating blackmail of the Philippine governmnet. The initial pronouncements of President Ramos when first asked about this conference was apropriate even though we differed with the official government position. He mentioned that this was a purely private initiative over which the government had no control. He affirmed that the Philippine government maintained its position recognizing East Timor as the 27th province of Indonesia. But our Constitution guarantees our rights to free speech and assembly. This was reaffirmed in a message sent through Vice-President Estrada and delivered to Foreign Minister Ali Alatas in Johannesburg. But Indonesia persisted. It could not accept that the Philippine officials could not act the way it could act in his country, and therefore, the blackmail escalated.

We all know what happened next. A Manglapus mission was sent. It came back with

**History has shown that dictators cannot last forever.**

a successful announcement of its failure. Indonesia persisted. Then we had the ban on foreign participants and then the TRO.

The reactions of this government showed to us and to the world that President Ramos was acting as if he were the Governor General of the 28th province of Indonesia, thereby surrendering our sovereignty, dignity and national integrity, all in the name of "national interest" which apparently is defined as Indonesia's national interest. The ridiculous and shameless deportations and additions to the list of foreigners in the ban list reveals the irrationality of this government, its servility to Indonesia that it would even put the name of Madame Danielle Mitterand after they had already known that she was not coming. And I think you all read this morning their polluted explanation that she was not coming and therefore, if she had come she would have been welcomed and if she was not coming she was added to the list. I don't think it was a typograpical error.

The first two foreigners that were turned away indicated very clearly the extents to which this government would go to please Indonesia. It turned away Mairead Maguire and Tom Hylands. Mairead Maguire is a Nobel awardee and in no way in our wildest imagination can one conceive of her as an international terrorist, a sabboteur or a conspirator to overthrow Suharto's regime.

This conference was organized through the efforts not only of the Filipinos but through the efforts of our foreign friends including of course, especially, the Timorese.

History has shown that dictators cannot last forever.

The tyrants seek that which they can never acquire, much less comprehend. And bit by bit, day by day, they are unmasked for the despots, militarists and butchers that they truly are, until the day there is no coward left to praise them for their false deeds.

WE DESTROY ANOTHER FORTRESS OF LIES TODAY! For today we once more play the music of the human spirit and no longer the puny echo the dictators want the world to hear, as this conference will bear witness. We are much farther beyond that now. It is not only our Timorese kin who play and sing that music, but all of us gathered here today, and in all the bastions of freedom in the world, in the hearts of those people whose struggles for freedom have freed them in the process, the people who alone wield the truest power in their hearts.

*Sa araw na ito, gaya ng sabi ng makatang si Hulyo Merah, "walang alaala liban sa mga kamaong nagdadabog sa dibdib at mga banging hinukay ng mga pala ng gunita."*

For this day, there are no memories save for the fists of the soles banging on our chests and the valleys dug up by the shovels of the memories of fallen friends.

Just as the living close the eyes of the dead, so shall the dead open the eyes of the living.

**The tyrants........... bit by bit, day by day, .....are unmasked for the despots, militarists and butchers ... they truly are ...**

We remember today, and in remembering hold a part of the future in our hands.

The people will conquer and the tides of humanity will be victorious. Today, as never before in this small planet whose nation's boundaries the butchers want to far exceed its girth, today all over its surface, all our hands are linked, all our chests embraced, and all our eyes look into the horizon and see a single vision of solidarity, justice, peace, and above all the proud smiles of the coming children of this world.

The people who gather all over the world today to celebrate this assertion of all our rights flow with history, not in its path, and no dictator or lackey can stem this tide just as no government can pretend to empower its people, for only the people can empower themselves. *Freedom is never granted. It is fought for, but even then, one has to risk losing it to keep it.*

The crisis was caused by the arrogant acts of the Indonesian government and its provincial directorate in Barangay Malacanang. We have asserted our rights. The Supreme Court has upheld them. But let us not forget that the irrational presidential ban on foreign participants remain. Nonetheless, let us be happy for the many victories we have collectively achieved.

**I THEREFORE DECLARE THE CONFERENCE OPEN!**

Asia-Pacific Conference on East Timor (APCET)

# Asia-Pacific Conference on East Timor
# (APCET)

## Programme

May 31 - June 5, 1994
Malcolm Hall, University of the Philippines
Quezon City, Philippines

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### 31 May 1994

P.M.
12:00 Registration
2:00 March to Malcolm Hall
3:00 Opening of the Conference
4:00 Open-air Concert
Featuring: Ang Grupong Pendong
Willie Nepomuceno
BUKLOD, and other alternative bands
Tropical Depression
Film-showing: "Death of a Nation"

### 1 June 1994

A.M.
8:00 Registration
9:00 Inter-faith Invocation
Amino Din Kali Muslim Immam
Bp. Antonio Nepomucano, OMI
Ecumenical Bishops Forum
Introduction of Participants and Guests
9:30 Keynote Speeches
Sen. Wigberto Tanada
Philippine Senate
Mdmme. Danielle Mitterand
France-Libertes
(Read by Ms. Nena Diokno, wife of staunch human rights advocate, the late Sen. Jose W. Diokno),
Former Chief Justice Marcelo Fernan
Chairman, Law Asia Human Rights Standing Committee
10:45 Cultural Presentation
by Sultan Ali Macapuno
Resolution on the Ban Order
(Read by Foreign Delegate Representative, Shambu Chopra)
11:30 Conference Orientation
by Augusto N. Miclat, Jr,
APCET, Coordinator
11:40 Lunch
P.M.
01:00 Panel Presentation
East Timor's Legal Basis for Self-Determination
Pinto Leite, Secretary-General, IPJET
Reactors:
Atty. Carlos Medina, Jr.
Ateneo Human Rights Center (AHRC)
Philippines
Yong - Wan Cho
Lawyers for a Demoncratic Society
South Korea
Chair: Atty. Sedfrey Candelaria
APCET, Vice-Chairman
Research Director, AHRC
02:30 Break
02:45 Human Rights Analysis of the East Timor Issue
Atty. Cecilia Jimenez
Philippine Alliance of Human Rights Advocates (PAHRA)

### 2 June, 1994

Chair: Atty. Eleanor Conda
Executive Director
Women's Legal Bureau Philippines
Moderator: Mr. Ronald Llamas
Chairman, Bukluran Para Sa Ikauunlad ng Sosyalistang Isip at Gawa (BISIG)
(Union for the Advancement of Socialist Thought and Action)

A.M.
09:00 National Anthem
Introduction of Participating Organizations & Guests
Solidarity Messages

10:30 East Timor Situation:
History, Testimonies and
Perspectives
Video-showing:
Jose Ramos Horta
Special Representative &
Co-Chairperson
National Council for Maubere
Resistance (CNRM)
Konis Santana,
Commander-in-Chief, FALINTIL
Responses: Ms. Ines Almeida
East Timor Relief Association (ETRA)
East Timorese exile in Australia
Max Stahl
Film Maker, United Kingdom
Chair: Mr. Renato Constantino, Jr.
Chairperson, Phil. Convenors
Group, APCET
11:00 Break
11:15 Open Forum
12:00 Workshop Briefing
12:10 Lunch
P.M.
01:30 Cultural Presentation
Reading of Solidarity Messages
02:00 Workshop: Solidarity Experiences,
Expressions and Options
Public Viewing: Death of a Nation
by John Pilger, David Munro &
Max Stahl
Malcolm Hall, UP Law Center
03:30 Snacks

### 3 June, 1994

Chair: Ms. Chat Garcia
People's Council for International
Solidarity and Peace (PCISP)
Moderator: Ms. Dottie Guerrero
Movement for Popular Democracy (MPD)
A.M.
09:00 Recap
Endorsements/Support Statements
Finalization of Drafting Committee
09:30 The Current Indonesian Climate and
Prospects for Solidarity Work
Max Lane
AKSI - Indonesia Solidarity Action
Australia
Rachland Nashidik
PIJAR - Center for Information and
Action Network for Democratic Reform
Indonesia
John Otto Ondawane
Free Papua Movement (OPM)
Irian Jaya
10:30 Video-showing:
Prinsen Poncke
Human Rights Activist in Indonesia
10:45 Open Forum
11:30 Lunch
P. M.
Chair: Mr. Gus Miclat Jr.,
Coordinator, APCET
01:30 Workshop 2 Briefing
02:00 Workshop: Building Solidarity for East
Timor and Other Struggles
06:00 Mass at UP Chapel
Bishop Aloisius Nobuo Soma
07:30 Solidarity Night
(presentation to be prepared by delegates)

### 4 June 1994

Chair: Atty. Alexander Padilla
APCET Legal Counsel and
Chairperson, Initiatives for International
Dialogue (IID)
Moderator: Augusto N. Miclat, Jr.
APCET Coordinator and Executive
Director, IID
A.M.
09:30 Recap
Reading of Messages/Statements
09:45 PLENARY
passing of conference resolutions
11:45 Asian and International Solidarity Links
for East Timor
Bishop Emeritus Aloisius Nobuo Soma
Japanese Justice and Peace Council
12:00 Cultural Presentation
Philippine Educational Theatre
Association (PETA)
Closing of the Conference
Mr. Renato Constantino, Jr.
Chairperson, Philippine Convenors Group

### 5 June 1994

Meeting of the International Federation for East Timor (IFET)

# An Account of the APCET Proceedings

**Daphne Peralta**
**&**
**Fides Estela Ragragio**

## 31 May 1994

1:00 P.M.. and the waiting participants and delegates to the Asia-Pacific Conference on East Timor were starting to gather inside the hall of the Malcolm Building of the University of the Philippines. The air was festive, brimming with excitement and triumph as it had been announced only a few hours earlier that the Supreme Court had lifted the restraining order prohibiting the conference from convening inside the campus of the University of the Philippines.

The crowd continued to grow as concerned citizens and groups, students, protestors as well as well-wishers swelled the ranks, quickly spilling outside Malcolm Building. The public had been invited by the organizers to participate in and to witness the opening ceremonies to lend their support and solidarity with the conference. When the foreign participants arrived at the site, ringed by their paralegal supporters, students and churchpeople, a resounding cheer reverberated all over.

2:30 p.m. By the time Conference Chairman R.C. Constantino completed the first sentences of his opening remarks the crowd had grown into the thousands, only a fraction accommodated inside the jampacked 200-seater Malcolm Theater. Mr. Constantino fervently thanked APCET supporters especially the people and groups who had offered their facilities in lieu of UP in case the ban pushed through. After welcoming the participants to "the open arms and warm embraces of free Filipinos and not to the 28th province of Indonesia", he proceeded to trace the series of events starting early 1993 that led to the birth of APCET in Manila. He denounced the government's summary deportation of foreigners who came for the conference as this only served to underscore the servility as well as the irrationality of the Ramos government. Reading out aloud the members of both the Philippine Convenors Group and the International Convenors, he reiterated that the conference was the labor of both Filipino and foreign friends.

The long list of messages began with Evelyn Ursuja of the Women's Legal Bureau reading the prepared speeches of Nobel Peace Laureate Mairead Maguire and Tom Hyland of the East Timor Solidarity Campaign, both of whom had been deported.

The two banned Irish delegates denounced the systematic genocide perpetrated by a larger nation against a smaller and weaker neighboring nation; the United Kingdom, for being involved in the supply of arms and other military weapons of destruction to Indonesia; the United States, which calls itself the 'Land of the Free', for its callous and mercenary policies, and; Australia, for its indifference even as its own subjects were being murdered by the Indonesian military. Deploring double-standard in international affairs, they pointed out that the Iraqi invasion of Kuwait was met with the full force of international censure and of American military might while ten UN resolutions calling for the withdrawal of Indonesia's illegal occupation forces from East Timor have been repeatedly ignored. However, just as the day came when the inauguration of a black president signalled the end of apartheid in South Africa so too will there come a day when justice will come to East Timor.

The foreign delegation released a statement read by Shambu Chopra, president of the International Platform of Jurists for East Timor. The international participants congratulated the Filipino convenors for organizing the conference in the face of unparalleled adversity and expressed no surprise over the overwhelming support of the Filipinos for the East Timorese cause, given the Filipinos' long history of struggle for democracy and human rights. They censured the Ramos government for succumbing to the bully tactics of the Suharto regime in it's bid to silence the voice of the oppressed East Timorese. Despite the harassments by the Philippine and Indonesian governments they look forward to the continued growth and invigoration of the solidarity movement between the Philippines and East Timor and in Asia.

Australian delegate Max Lane read the CNRM statement which strongly rebuked the Philippine government for tarnishing the proud record of the Philippines as a free and democratic nation. CNRM said that Ninoy Aquino, dedicated fighter of oppression and injustice, had fully supported the East Timorese struggle. The meeting had been intended as a venue where all groups and sides would be able to participate and give substantive inputs. The Indonesian government's arrogant refusal to participate and, worse, the maneuvering to frustrate and undermine the conference demonstrates clearly the feebleness and infirmity of the Suharto regime's arguments when faced with the power of the truth.

The opening ceremonies ended followed by a mini concert outside Malcolm Hall where alternative Philippine music was showcased. Filipinos and international guests alike danced, sang and laughed the afternoon away in support for the conference and for East Timor.

### 1 June 1994

Long lines of people waiting to register as participants to the APCET greeted the first day of the conference proper. The crowd's enthusiasm of the previous day had shown no signs of subsiding. A heightened sense of purpose and determination permeated the assembly.

The conference formally opened with an invocation from a Muslim imam, Amino Din Kali and Filipino Bishop Antonino Nepomuceno. APCET Coordinator Gus Miclat introduced the delegates and participants. The first resolution of the conference, asking President. Fidel Ramos to reconsider the ban on foreign delegates, was submitted for the consideration of the assembly and was promptly passed.

Dorothy Guerrero of the Movement for Popular Democracy introduced the first keynote speaker, Senator Wigberto Tañada.

Senator Tañada, staunch human rights and peace advocate, began his speech by declaring his solidarity with the conference. He noted that the bungling of the by the Philippine government had succeeded in highlighting the cause of East Timor and making it an international cause celebre. The Ramos administration had thus inadvertently helped APCET gain international attention even before the assembly began.

His speech delved on the legal, political and philosophical arguments why the Philippines and all-freedom loving peoples of the world should condemn Indonesia's invasion of East Timor and the accompanying human rights violations this entailed.

He posited that it is not possible to subvert our conscience, to ignore injustice and oppression. There is no excuse for the violation of human rights, for the domination of the weak by the strong, for imperialism and oppression. The measure of a people's humanity must be reflected in other peoples' possession of the same right to existence with dignity. The Universal Declaration of Human Rights serves to remind the peoples of the world that we cannot overlook a nation's disregard for human rights for this is the wellspring from which outrageous atrocities stem.

"There is no excuse for the violation of human rights, for the domination of the weak by the strong, for imperialism and oppression."

**- Senator Tañada**

Furthermore, the government's position recognizing East Timor as the 27th province of Indonesia — unchanged since martial law — has rendered it guilty of silence therefore, an accomplice in the crimes perpetuated. The Philippine foreign policy's subservience to another state, to the point of negating its own constitution and diminishing its sovereignty, can only be described as cowardly and mendicant. Relationships between states must be based on mutual respect and recognition of each other's independence, sovereignty and constitutional rights and processes.

"Indonesia must learn that honorable relations among states and people are governed by respect for human rights and the world conventions and charters that encase them."

**- Madamme Mitterand**

Just as Indonesia shares the same history of struggle for independence so should it understand and support other struggles for liberation. There is no conflict so permanent that cannot be resolved through compacts of peace.

The message of Madame Danielle Mitterand, who was supposed to have been one of the keynote speakers, was read by Ms. Nena Diokno, widow of the late Senator Jose W. Diokno, a respected staunch human rights advocate himself.

In her message, Madamme Mitterand revealed the extraordinary pressure exerted by the Indonesians on the foreign community and especially on the Philippine government to stop the conference. She wondered of the motives behind these machinations and asserted that this is evidence of Indonesia's oppression not only of East Timor but of the entire ASEAN region.

She warned that Indonesia cannot continue to rely on a silent and ignorant world community. In this high-tech age news travels faster and information is more readily accessible. Hence world public opinion can be quickly mobilized for an international demonstration of political will. Indonesia must learn that honorable relations among states and people are governed by respect for human rights and the world conventions and charters that encase them.

The other keynote speaker, former Chief Justice of the Supreme Court Marcelo H. Fernan discussed the implications of the East Timor situation on the corpus of international law. He was introduced by Atty. Sedfrey Candelaria of the Ateneo Human Rights Center and APCET Vice-Chairman.

The former Chief Justice stated that the holding of the conference is not intended to create further contention in an already contentious situation but emanates from worthier objectives: to study and propose new ways of solving the problem; as well as to provide a fora to discuss issues critical to the future of East Timor, the stability of the region, and the integrity of international commitment to security and peace. He reminded that the Filipino people, during the era of Martial Law repression, had sought and found help among the freedom-loving peoples of the world. Because freedom, as the single most vital common denominator between peoples, cuts across the barriers of culture and race.

Drawing on his experiences and expertise on international law and taking into account previous studies on the subject, Fernan debunked the claims of Indonesia even only on the level of the law. As a member state of the UN Indonesia is expected to abide by its doctrine and support its position.

The right of non-self governing territories to decolonization and self-determination is affirmed in the Declaration on the Granting of Independence to Colonial Countries and Peoples and the International Covenants on Civil and Political, and on Economic, Social and Cultural Rights.

While it has been claimed by the Indonesian government that integration was achieved with due consent of the East Timorese, as well as citing historical, ethnic, cultural and geographical ties between the two territories and the economical non-viability of an independent East Timor, this position has not been defended legally in an international court of law. Further subtracting from the validity of Indonesia's case are the charges against the integrity of the so-called Regional Popular Assembly, the impartiality of its conduct and the veracity of its conclusion. The proceedings of the Assembly were not supervised by any third party nor did it produce verifiable documentation. It should also be noted that the people of East Timor at that time could not have responsibly participated in any informed and democratic process on integration.

If a sovereign nation can claim well-estab-

> "If a sovereign nation can claim well-established historical ties to a territory then integration without prior consultation is defensible under UN G.A. Res. 1514."
>
> **- Former Chief Justice Fernan**

lished historical ties to a territory then integration without prior consultation is defensible under UN G.A. Res. 1514. However, Indonesia's reasoning on grounds of ethnicity and geographic contiguity is revealed to be specious and hollow.

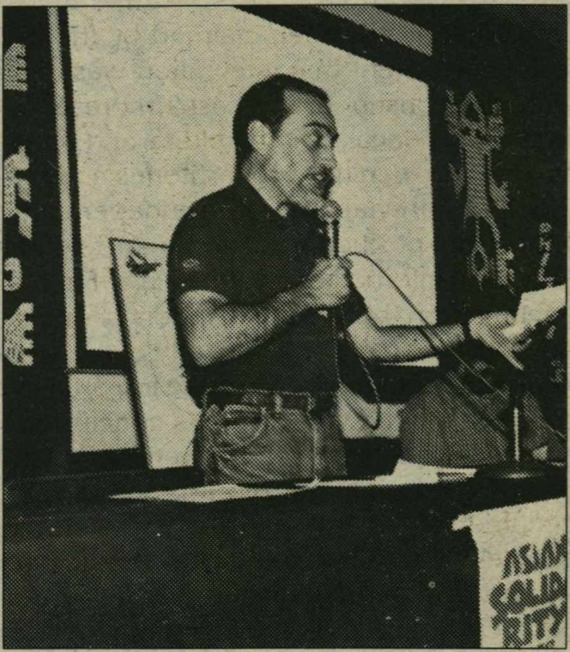
UN Resolution No. 1514 further provides that the economic nonviability of a none self-governing territory cannot serve as a pretext for delaying independence. It is worthwhile to note that a 1975 U.N. report described East Timor as a country rich in natural resources and hence capable of building a viable economy.

The UN Charter affirms a nation's right against aggression and provides measures to prevent threats or the use of force against another territory. The invasion of 12 December 1975 was denounced by the UN General Assembly, which also called for the withdrawal of Indonesian armed forces from East Timor.

The afternoon session began with a message from Nobel Laureate Rigoberta Menchu, translated into English from Spanish by Pedro Pinto Leite. Ms. Menchu stated that the voice of the oppressed have not been silenced. Rather, history will prove the legitimacy of the territorial integrity of East Timor and the right of this nation to self-determination.

Panel discussions occupied most of the afternoon. The first issue to be taken up was the legal basis for the assertion of East Timor's right to self-determination. Panel presentor was Mr. Leite, Chairman of IPJET.

Mr. Leite presented the factors that support the legal, economic, social and political viability of an independent East Timor. He pointed out that even if such were not the case, the UN Resolution 1514 (XV) has declared that the path to self-government and the granting of independence should not be hampered by the perceived lack of political, economic, social or educational preparedness. The political climate and the series of events that led to the birth of a short-lived independent East Timor and to its invasion and occupation by Indonesia was traced and thus made clear that the subsequent annexation had no legal foundation. The forced annexation violated the conditions set by International Law, namely that the act of integration should emanate from an exercise of self-determination, that there should exist free political institutions and an advanced stage of self-government, and finally that a referendum be held to consult the wishes of the territory's duly prepared and informed public.



Atty. Carlos P. Medina, Jr., Executive Director of the Ateneo Human Rights Center, and Atty. Yong Wan Cho of the Korean Lawyers for a Democratic Society contributed their inputs as panel reactors.

Atty. Yong Wan Cho said that his country

> "More so nations, having shared this history and yet repeat this crime upon another weaker nation, should be condemned and denounced."
>
> **Yong Wan Cho**

shares with East Timorese and other peoples in Asia a similar history of foreign occupation. Nations that have undergone a history of colonization and oppression should feel more keenly the anguish of East Timor and should be that much more motivated to rid the world of domination. More so nations, having shared this history and yet repeat this crime upon another weaker nation, should be condemned and denounced.

Enslavement is not just a violation of human rights but constitutes the total negation of one's humanity. While acknowledging that self-determination is not the “be all, cure all”, it is nevertheless the first important step towards genuine liberation. The East Timorese are not alone in their struggle, the peoples of the world are just as determined to awaken the conscience of all nations, to build a community where human rights and dignity are enjoyed by all.

Atty. Medina, on the other hand, stated that Indonesia, as a member of the UN is well aware of its obligations under the UN charter which expressly recognizes the right of peoples to self-determination. As a UN member, it has made a solemn pledge to respect this human and people's right. Its invasion of East Timor in 1975, thus, was a deliberate act by Indonesia to disregard the sacred right of the East Timorese people for self-determination.

He further stated that with the adoption of the UNGA in 1966 of the ICCPR and ICESCR, and its ratification by the majority of states, the right of self-determination has become a mandatory rule of international law. Both covenants provide in exactly the same language that “all peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”

This means, he said, that a people can choose the political status they desire, without foreign interference. It also includes permanent sovereignty over natural resources, the right to adopt the economic and social system appropriate for the development of each people, the right of each people to develop its culture, and the right to choose freely the form of government under which they will live. He then rationalized that the right to self-determination is a people's right, and therefore, should be interpreted in the context of the people.

Taking notice in Indonesia as the largest Muslim country in the world and a leading member of the Organization of the Islamic Conference, Atty. Medina posited that Indonesia should be more mindful of its position as role model among other Muslim countries. It should, at least, respect its own Declaration. It should respect the right to self-determination of the East Timorese people, he said.

The second panel presentation dealing with the Asian perspective on human rights was led by Atty. Cecilia Jimenez of the Philippine Alliance for Human Rights Advocates.

The Panel Reactors included Shambu Chopra, Peter Wesley-Smith, Dean of the Faculty of Law, University of Hong Kong and Sharon Scharfe, from the Secretariat of the Parliamentarians for East Timor.

Mr. Chopra returned to the points taken up by Atty. Jimenez re the emerging ASEAN concept of human rights, of which Indonesia is a major proponent. The idea of cultural relativism—of economic development and community rights as counterposed to cultural, social and individual rights—presages an alarming trend in ASEAN politics and state-to-people relations. Cultural relativism can be used as a pretext for various forms of restriction (on movement, information and speech), apart from invoking national security and interest.

Human rights and self-determination are two different issues, neither subsumed under the other. Having clarified that point, Mr. Wesley-Smith discussed the philosophical basis of human rights. Dismissing the explanation of religious natural law, he averred that human rights are inherent natural rights and not gifts from a God.

Returning to the legal relevance of the East Timor case, he posed the question of whether the concept of human rights can be subjected to the regime of law. On one hand Indonesia, by virtue of her disassociation with international treaties on human rights, is therefore not bound by these laws. On the other hand, there is a developing customary international law premised on the idea that if sovereignty makes a nation free then human rights violations and genocide are contrary to law. While a growing number of scholars are prepared to accept this concept, the failing of international law is that its authority encompasses only those parties within its jurisdiction. The importance therefore of a domestic legal system that is consistent with the values of human rights, the rule of law, dignity of individuals and judicial independence cannot be overstressed.

An added dimension was given to the panel discussions. Sharon Scharfe dwelled on the situation of women and human rights in East Timor. Women in East Timor are either actively resisting Indonesian rule and domination, i.e. those involved in FALINTIL, or passively resisting, i.e. those directly or indirectly affected, who have physically experienced abuse or whose friends and kin experienced the violations.

Local Timorese women have been raped while in custody of the police, have had children with imposed Indonesian husbands, and against their knowledge have been forced to undergo sterilization. Sharon reported that family planning was a program most vigorously pursued by the Indonesian government, i.e. promotion of contraceptive pills, condoms, IUDs and implants, and the injection of hormones. Studies revealed however that in East Timor the injection form of contraception was used on 60% of the women, in contrast to 19% on Indonesian women. It was later found out that in many of the cases East Timorese women were given the injections indiscriminately and without their knowing that these were contraceptives. Villages are under the de facto control of the military, thus facilitating the system of forced sterilization. There is also forced abortion on women who themselves or their husbands are identified to be Fretelin members.

The question was asked, :Where is the international outrage on behalf of these women?

Finally, Sharon remarked that a common area where people can lobby is to influence aid programs to go directly to East Timor. An example of successful intervention by lobby groups in Canada is the government's policy on bilateral aid programme for Indonesia. Aid going to Indonesia is separated from aid channeled to East Timor. Additionally, aid to East Timor is disbursed solely through ICRC, the Catholic Church and UN-monitored agencies.

Lively discussions in the open forum followed. Mardi Mapa-Suplido of Amnesty International supported the points raised by Atty. Jimenez. One, the international community has largely ignored the human rights record of Indonesia partly because of political and economic ties with Indonesia. In this the world community shares with Indonesia the burden of guilt and responsibility. A strategy that can be employed is to study each country's military, economic and social links with Indonesia. Two, human rights violations are not confined to East Timor. It occurs within Indonesia as well. Strong-arm tactics is an integral part of Indonesian military and political strategy.

Robert Wesley-Smith remarked that there is considerable merit in developing an Asian concept of human rights as opposed to what is regarded as a purely Western definition. However, this concept cannot be used to explain the violation of human rights, i.e. arbitrary disappearances and extrajudicial executions.

It was also pointed out that the repressive governments of Asia are the proponents of the idea of cultural relativism which claims that human rights are subject to different interpretations based on a locale's culture, history and background. It also posits that governments, not the people, determine at will the parameters that define the interpretations.

Atty. Jimenez clarified that human rights concepts are not new to Asia. These concepts can be found in old Asian, Chinese and Hindu philosophies, culture and religion.

While it was postulated that the universality of human rights is not confined to a particular issue of a particular country and must be taken up as a regional issue, it was also clarified that the issue of East Timor has international dimensions requiring a global solution than merely a regional or parochial approach.

Riki Stevens of the West Papua Support Group said that human rights violations in East Timor remain largely unreported within Indonesia itself and the international community. There are news that Suharto had signed an agreement that UN agencies and international and private NGOs previously denied access to East Timor will be allowed to enter East Timor. The moderator then commented on the need to pin down the Indonesian government to what they say. She cited Foreign Minister Ali Alatas' April 30 radio broadcast opening East Timor to international NGOs. A delegate's rejoinder was that Mr. Alatas did not indicate which year or which decade NGOs would be allowed to enter East Timor. And a rhetorical question: is it possible for human rights in East Timor to be resolved while Indonesia's military still occupies the territory? A panel reactor's quick and flat answer: 'no'.

The idea of human rights was differentiated from the idea of self-determination, human rights simply being the rights of individuals relating to a number of conditions, i.e. dignity, freedom of assembly and speech, conscience, etc. Whereas self-determination is basically the right belonging to a collective, of peoples to exercise their freedom to choose and to draft their own political, social, economic and cultural character.

The solution to the East Timor problem must be tackled from several perspectives, not just approached from the context of human rights violations. The important and probably more effective weapon in the struggle lies in its political nature—that of Indonesian aggression and the right of East Timor to self-determination. The solution to the problem is political, subsuming the human rights perspective. Even as the world court is the only legal recourse in international law, Indonesia refuses to submit to its jurisdiction. At present all international law can do is to add force to the political arguments.

The case of South Africa yielding to the combined efforts of the UN and the world community to enforce a political solution was posited as an illustration of the weight of international opinion.

A Filipino participant said that the ongoing repression and violations of human rights in East Timor are reminiscent of the country under Martial Law. The late Senator Jose W. Diokno popularized the meta-legal technique exemplified by the use of pressure politics, the exercise of lobby strategies to force and press government to act. A participant from Mindanao was reminded of her own people's experiences, in particular the Moro people's struggle for self-determination.

### 2 June 1994

An overview of the previous day was given by Mr. Miclat, followed by Ramos Horta's video-taped message to APCET.

A much-applauded East Timorese Ines Almeida, representative of an East Timor support group based in Australia, delivered a message from Xanana Gusmao, Chairman of the CNRM and commander of Falintil. Gusmao, from Cipindang Prison, conveyed greetings from the Maubere resistance to the solidarity organizations in attendance and to the Filipino organizers.

A noted filmmaker and producer of documentaries shot in such troubled spots as the Middle East, Central America, the former Soviet Union, and more recently East Timor and Indonesia, Max Stahl read the message from the political prisoners in Dili. The message, which was able to reach the conference through Indonesian friends, says that the emerging new world order if grounded on the precepts of peace, liberty, justice and the respect for human rights should promote initiatives of the same kind. As one such initiative, the conference has drawn the attention of the peoples of the world, in particular the peoples of the ASEAN, to the cause of the Maubere people.

Almeida, as only one of two East Timorese official representatives to the conference, was called to share the experience of her nation's ongoing struggle for emancipation. She related the experience of oppression, of Indonesian treachery in the peace talks and of incessant persecution by the military. In a more inspiring tone, she told the story of vigorous resistance, and of her people's anticipation of independence as articulated in the CNRM's peace plan. The peace plan covers three phases: first, completion of a confidence-building process, i.e. the withdrawal of Indonesian troops and civil servants and the restoration of all human rights; second, transition to autonomy and the reinstatement of self-governance and democratic processes, and; three, preparation for self-determination. She urged the people in the conference to support the peace plan and thereby add to the international pressure on Indonesia to recognize the right of East Timor to self-determination.

In the open forum that followed, Max Stahl was asked to assess the attitude and the feelings of the East Timorese with regards to the struggle for independence. He replied that it is not possible for a guerilla army to survive eighteen years without the support of the civilian community. The military is only one aspect of the resistance, which for the people of East Timor, represents their hopes for a country and a future with dignity.

To the question on whether there is unity or disunity in the ET struggle, Ms. Almeida explained that the CNRM is an umbrella organization of the whole Timorese resistance, comprising the Fretelin, Falintil, CDF and other clandestine student and youth organizations.

Atty. Jimenez wanted to know the progress being made on the peace plan talks. Ms. Almeida answered that as of the moment the proposal is with the office of the UN Secretary General. There is an ongoing negotiation, an important part of which is a proposal from the anti-integration side for the release of resistance leader Xanana Gusmao so he can participate in the talks.

Following the open forum was a video-taped message from Nino Konis Santana, Falintil Commander.

The implications and perspectives of the APCET on Human Rights and advocacy work in the Asia Pacific region were taken up in the afternoon workshop sessions.

In the plenary that followed, it was announced that in the past few days, all over the world demonstrations in support of the conference and for the East Timorese cause have been held. The delegates were then invited to attend mass officiated by Japanese Bishop Aloisius Nobuo Soma.

### 3 June 1994

Mr. Miclat summed up the issues taken up the previous day, followed by the first speaker of the morning session.

John Otto Ondawane, representative of the Free West Papua Movement, delivered a statement of solidarity with East Timor as well as a plea for assistance for his own country. He reaffirmed the rights of all peoples to self-determination and therefore the moral duty of peoples and governments to uphold this right and to recognize the legitimacy of the Maubere and other struggles.

He said, the conference is also an opportunity to take up a long-forgotten and ignored struggle in Western New Guinea. West Papua, with a population of 1.5 million based on a Melanesian ethnic group and composed of a Christian majority, had been the target of Indonesian aggression even before East Timor.

He listed the systematic human rights abuses committed by Indonesia:

First, the cultural imperialism Indonesia had taken dismantled the West Papuan value system and annihilated its indigenous culture. A case in point was the assassination of Mambesak, a director of the West Papuan University Anthropology Department in 1984 for encouraging West Papuan nationalism through folk music.

Second, the country was overran by immigrants and foreign corporations, ravaging and exploiting its natural resources. The transmigration program funded by the International Monetary Fund also threatens to make West Papuans a minority in their own country.

Third, people are being indiscriminately detained and imprisoned and put into resettlement and concentration camps. Some 130 political prisoners have been moved to isolated camps in Kalisosok, Tanggerang and Cipinang in Java, depriving prisoners of their right to be visited by relatives.

Fourth, oppression, violation of democratic freedom and discrimination against the West Papuans are routinely practised.

Mr. Ondawane concluded by expressing his peoples solidarity with East Timor, the democratic movement in Indonesia and the Philippines and with all other liberation movements in the Asia-Pacific region.

After the vigorous speech, the endorsers and supporters of APCET were acknowledged.

The situation of West Papua was further explored in the open forum that ensued.

In response to questions on the floor, Mr. Ondawane explained that traditionally, the West Papuans have had to rely on themselves, their struggle almost unknown to the world. However, the West Papuan solidarity network is now slowly gaining strength as it draws enormous support among progressive Indonesians and the peoples of Asia-Pacific.

Organized under the Coalition of the Free Papuan Movement, the West Papuans aim to establish a New Democratic Society guaranteeing the rights of the people, especially the right to self-determination. As in East Timor, Indonesian language and culture have been imposed on the West Papuans.

On education, Mr. Ondawane stressed that it is important to reeducate the people in order to raise the their level of national awareness; to rectify the mistakes of elite education based on the interests of a minority; and, to impress the principles of democracy. Democracy is not limited to concern for human rights as this does not necessarily transform the power structure and the dictatorship of the ruling class. Genuine democracy should empower the people, especially the poor, and develop their full human potential.

Mr. Ondawane reiterated his people's solidarity with the East Timorese, asserting that there is a common goal to evict the enemy from both their lands.

This drew a response from Mr. Paulino Gama who said that Indonesia is not the enemy and that dialogue, instead of confrontation, is the solution.

The Indonesian perspective and situation were taken up by the following two speakers, Max Lane and Indonesian delegate Rachland Nashidik of PIJAR.

Mr. Nashidik declared the risks involved in attending the conference especially for an Indonesian citizen, given the reactionary stance of the Indonesian government on the conference. Nevertheless, his attendance to the conference is not to challenge the authority of the Indonesian government but to extend the solidarity of his country's growing democratic movement with all peoples of the world in their struggle for democracy and human rights. It is a foremost commitment to this struggle and to justice, and not to a regime who defends its authoritarian ways and lack of democratic principles in the name of nationalism that pro-democracy Indonesians have supported this conference.

He said further that this new generation of Indonesians who do not take the same reactionary position of the government and who have committed themselves to build a more democratic Indonesian society recognize that East Timor is part of this same struggle. If the constitution of Indonesia grants the rights of its citizens to independence and freedom from colonialism so should it also recognize the inalienable rights of the East Timorese.

Initial questions in the open forum drew attention to the situation of Indonesia's trade unions. It was clarified that until 1990 there had been only one trade union, the All Indonesia Workers Union (SPSI), which was a totaly government-controlled puppet union. Its role was mainly to instill in the workers a culture of docility and a repugnance of strikes.

More recently, however, there have been attempts to establish new independent non-government unions. The first, Solidarity Free Trade Union, but soon became defunct; and the second, the All Indonesia Prosperous Workers Union (SBSI) was able to develop, but its success draw the government's ire.

Likewise, vital information does not filter to the masses. The spineless media has slavishly followed the government line that the media should be "free but responsible". Thus, information on the atrocities in East Timor as well as in Indonesia are routinely suppressed.

Max Lane stressed that the strengthening of the democratic movement in Indonesia, the struggle in East Timor and the mounting international pressure on the Suharto regime mutually reinforcing each other will effectively propel the East Timorese cause for self-determination.

Dr. Francisco Nemenzo of the U.P. Political Science Department asked for a more detailed picture of the character of Indonesian investors, the relationship between the private sector and the state. While capitalist behaviour is usually predictable, i.e. investments are made where it is most profitable, is it also true for Indonesian investors? Or are they influenced by the whims of the Suharto regime.

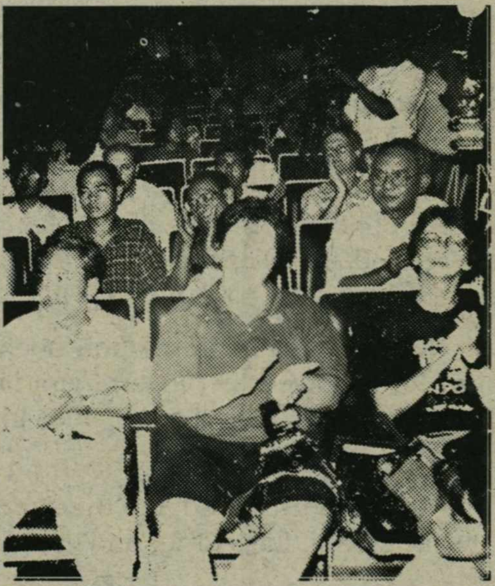
It was pointed out, in response, that the Suharto government practices a "patronage" style of government or crony capitalism. In the immediate term, business tends to play along with their government. However, in the long-term, as in the case of Australian business conglomerates, investment flows and trade continue unabated.

To the question on Indonesian attitude, particularly within the democratic movement towards West Papua, it was disheartening to know that the issue of West Papua is nowhere as widely discussed as the East Timor issue. Mr. Nashidik therefore, urged the people of West Papua to campaign louder and wider.

Prior to the workshop session on Building Solidarity Links with East Timor that took up the rest of the afternoon, representatives of the East Timor solidarity network shared their experiences.

Ms. Almeida, a volunteer of the East Timor Relief Association (ETRA) which was founded in 1992 in response to the Dili massacre, articulated the aims and objectives of her group, to wit; to provide resources for the East Timor community in Australia for effective campaigning; to provide humanitarian relief; and, to liase with non-governmental organizations and international bodies. Its projects include a monthly bulletin, *the Mativian News*, which caters to the East Timor community and solidarity groups; fund-raising for political prisoners in Dili and Indonesia; and transcribing TV and radio interviews and collecting newsclippings on relevant issues. Within the E-Mail system, ETRA has been coordinating "Peptalk". Ms. Almeida enjoined Filipino groups to subscribe to the program so that there would be regular exchange of information. In the same vein, she lamented the relative lack of linkages with groups in the Asia-Pacific compared to more developed ties with those in Canada, France, Switzerland and New Zealand. Donations to ETRA which have the assurance of being directly absorbed into East Timor work is also 100% tax deductible.

The International Federation of East Timor (IFET) which found its spokesperson for the panel presentation in Jean Inglis, is a loose coalition of 17 solidarity groups around the world. While it is not run by a full-time staff, it has the potential to develop into a "clearing house" on East Timor issues. In 1991 IFET was able to receive accreditation with the UN Department of Public Information. The conference, Jean



observed, has made it clear that there is a need to expand the network of solidarity groups beyond Europe, North America and Australia. A broader, larger and stronger federation to include Asia, Latin America and Africa will pose a more potent and eloquent appeal to the UN.

The International Platform of Jurists for East Timor (IPJET) which has a general assembly of some 220 members from fifty and more countries and territories, was represented by Pedro Pinto Leite. IPJET which brings together jurists (85%) and non-jurists in an effort to collect and share knowledge on issues concerning East Timor, is basically involved in lobby work, research and data-banking, legal assistance for detained East Timorese through resource materials and research, dissemination of information, and organizing of conferences. At the moment, IPJET is conducting a contest on extended essay or thesis writing on any legal topic concerning East Timor. IPJET will also be publishing a book on international law regarding East Timor which will be a collective work of twenty different writers and members of IPJET.

### 4 June 1994

The last day of the conference was reserved for workshop reports and plenaries. The first group to report presented the analysis/implications and perspectives of the APCET on human rights and advocacy work in the Asia Pacific region.

The topic was divided into seven (7) categories, namely: Human Rights, Resource Mobilization and Development Cooperation, Church Solidarity, Women, Indigenous Peoples, People's Diplomacy, Education and Information Campaign and the Legal Aspects.

The group came up with analyses on the status on each of the above-mentioned categories and from there, put forward recommendations.

The report pointed out the need to defend the universality and indivisibility of human rights and challenge the "prevailing concept of human rights" of most Asian governments/ leaders handed down by their colonizers. Essentially, this outmoded concept of human rights are preserved to protect their self-interest. Thus, it was recommended that a common understanding of human rights be reached. This can be started through a human rights education campaign. Parallel to this need, an Asian Human Rights Charter and Tribunal Court could also be developed.

The group also came up with recommendations on resource mobilization and development cooperation for East Timor in the form of policy advocacy, capacity-building (logistics, human resources, monetary, etc.), campaign mobilization, coordination and linkages. A proposal to support the nomination of Bishop Belo for Nobel Peace Prize Award was also suggested.

People's diplomacy, education and information campaigns should focus towards mobilizing support and bringing to the fore the struggle of the East Timorese for justice, freedom and self-determination using every possible means and fora, be it at the regional or international levels or even among governments.

Information campaign initiatives on the issues and concerns of the East Timorese women should likewise be developed and supported. Development of training programs for East Timorese women, coming up with a compilation of materials reflecting on the women's experiences in East Timor were other activities considered. Another suggestion that surfaced was to invite East Timorese women to the China conference on women.

The East Timorese and the Moro peoples, more or less, share a common struggle — that is, both of them struggle for their self-determination. Other minorities and indigenous peoples, in one way or another, suffer from various forms of injustices resulting from domination. Hence, it was also suggested that due recognition and support be likewise provided not only to the struggle of the East Timorese but also to other peoples' pursuit for self-determination. This would also include national liberation struggles of other peoples.

The next group reported on the topic: Building Solidarity Links with East Timor-Asia.

The topic was categorized into: (1) information and education (2) communication/networking (3) campaign action (4) humanitarian relief and resource mobilization (5) political and policy advocacy.

Because of the big number of the group, it was decided to divide members into 3 smaller groups with Group A taking Category 1 & 2; Group B, Category 3 & 5; and Group C, Category 4.

Group A, first made an appraisal of the requirement of the existing organizations working in solidarity with the Maubere people. Starting from this, they identified the resources through which information dissemination and campaign vis-a-vis popularization of the East Timor struggle can be enhanced so as to effectively generate more attention and support. At least, 16 recommendations were put forward such as translation and reprinting/reproduction of books, videos and other materials and making them available in all possible forms; cultural exchanges; art exhibits; international concerts; East Timor information drive in South Asian countries; human rights monitor/publication; integration of existing Asian networks into the global network, etc.

There were comments from the body to scan the existing networks in the regional and sub-regional levels and to identify all of these networks. Muslim groups should also encourage Islamic nations to condemn the human rights violations in East Timor as being Islam.

On the campaign front, Group B perceived a need for regular, widespread, planned and well-coordinated campaigns on East Timor targeting the United Nations, governments, parliamentarians and even the NGOs. Activities may include speaking tours in various countries by ETRA, boycott of Indonesian products, regular commemoration of the Dili massacre, participation in various relevant international conferences, organization of missions to East Timor, support to the CNRM's peace plan, etc. Such initiatives should be supported by vigorous lobbying and advocacy work on every front.

On the resource mobilization aspects, Group C proposed the setting up of a Kamal Bramahadj Foundation which will support projects that encourage solidarity with other Asian nations more specifically, with East Timor; and, the setting up of a coordinating center in Asia which will serve as centerpoint of all support initiatives for East Timor.

In the plenary that followed, an 18-point resolution was passed and approved by the 130 participants of the conference. (Please refer to the APCET Resolutions).

A stirring speech by Bishop Aloisius Nobuo Soma of the Japanese Catholic Council for Justice and Peace closed the four-day conference. Bishop Soma ended his speech by declaring his pledge of solidarity "to the brothers and sisters in East Timor and to each and every East Timorese in exile devoting oneself to the struggle of their people. Your goal is a goal which we too share with all our heart."

The conference was officially closed by an address by the APCET Chairman, Mr. Renato Constantino, Jr., so aptly titled, "WE WON THE BATTLE; IT'S TIME TO WIN THE WAR."

# APCET Conference

# RESOLUTIONS

WE, the 130 participants from various countries throughout the world, gathered together for the Asia-Pacific Conference on East Timor held May 31-June 4, 1994 at UP Malcolm Hall, hereby resolve to :

## Political

1. Call for the release of Xanana Gusmao and all political prisoners, and for Xanana's participation in negotiations to resolve the East Timor situation.
2. An immediate ceasefire, the complete demilitarization of East Timor, a fair and honest referendum under the supervision of the United Nations.
3. Support CNRM's peace proposal and other East Timorese groups'initiatives for genuine self-determination. Actively campaign the peace proposal at the regional, subregional, national and grassroots level for its popularization.
4. Request UNHRC Special Rapporteur on Torture to consult women in East Timor regarding atrocities against women, sexual violence/rape by Indonesian military in East Timor.
5. Condemn Indonesia's forced birth control and aggressive family planning program in East Timor.
6. Extend our solidarity to the women of East Timor. Support their efforts for full participation of women in decision- making in society as well as in the struggle for self-determination as women and as East Timorese.
7. Urge the Indonesian government to uphold its own promise to allow expanded access to East Timor for Human Rights and Humanitarian organizations, the media,and UN special rapporteurs.
8. Express support to the pro-democracy movement in Indonesia, particularly the activists who actively support the struggle of the East Timorese people, including those who took the risk of coming to the APCET.
9. Recognize East Timor as a sovereign people and nation.
10. Affirm our commitment to help in the struggle of the Maubere people for genuine liberation in any way we can.

## Organizational

1. Transform Asia-Pacific Conference on East Timor to Asia-Pacific Coalition on East Timor with an ad hoc committee composed of at least one representative each from South Asia, East Asia, Pacific, Australia-Aotearoa- New Zealand- Papua NewGuinea, Japan, Thailand , Malaysia, Indonesia and the Philippines.The Committe may decide to include other members i.e. West Papua or other struggles representatives as they see fit. That Bishop Aloisius Nobuo Soma will be the honorary chairperson of the newly-formed coalition. The incumbent APCET secretariat remain functioning until a permanent committee is formed.
2. Organize Philippine individuals and groups who subscribe to the just cause of the East Timorese people and link-up with the East Timor international network . Hold activities that would facilitate exchanges of experiences and understanding of East Timor and other struggles for self-determination.

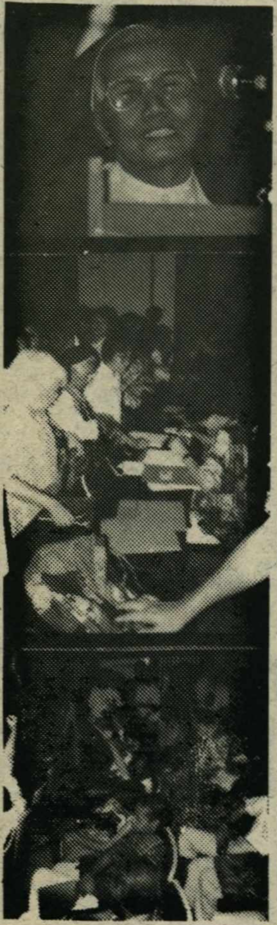
## Immediate Action

1. Appeal to Indonesia's ODA donor countries in the region : Japan, South Korea, Australia, New Zealand to urge Indonesia at the upcoming meeting of the Consultative Group of Indonesia to begin steps to extricate itself from East Timor.
2. Endorse Bishop Ximenes Belo for the Nobel Peace Prize.
3. Organize a mission to East Timor as soon as possible to investigate the real conditions inside the country.
4. Urge Radio Netherlands not to stop Bahasa language broadcasts—responding to request by Bishop Belo and others.
5. APCET to initiate a demonstration or other appropriate action bringing East Timor to the attention of the East Asia Growth Area Business Conference to be held in Davao City in September 1994 to press Indonesia to pull out of East Timor and let the East Timorese chart a development plan appropriate to them.
6. Campaign ideas as listed in workshop reports.

# *Workshop Reports*

## Workshop 1:

## Implications and Perspectives of the APCET on Human Rights and Advocacy Work in the Asia-Pacific Region



### 1. Human Rights

#### 1.1. Implications/Analysis:

(a) More and more Asian governments/leaders use the "Western concept of human rights" as an excuse for not respecting human rights; (usually to protect their economic interests)

(b) Philippine government bullied due to economic reasons, and most countries are "blind" to East Timor due to economic interests

(c) Most Asian laws today are handed down from colonizers especially National Security Law, used not for people but interest of the few in power

(d) Many use and misuse Human Rights concept for their interests

(e) NGO information on human rights do not reached grassroots

(f) Lack Asian Human rights System Asian Human rights Charter and others.

#### 1.2. Responses / Recommendations:

(a) We must challenge this view and defend the universality and indivisibility of human rights

(b) Lobby home governments re: their relation with Indonesia where possible lobby UN for stronger sanctions

(c) Critical study on National Security Doctrines operating in the region to work towards its repeal in the region

(d) Levelling off of our human rights (HR) understanding

(f) Develop Asian Human Rights Charter and Tribunal Court

(g) Regional Networking - share information, use existing networks to put East Timor on agenda

Train East Timor in monitoring and documenting human rights violations (by Asians)

Send fact-finding missions

Support East Timor exiles return

### 1.3. Comments/Suggestions

While there are existing HR charters - European, African, it was noted that there is no such system in the ASEAN/ Asia-Pacific region. There are a few HR groups in the region who have worked on these initiatives, and these groups should be maximized, especially to train exiled Timorese in the various aspects of human rights work, i.e. documentation, education, etc.

Re points 1.1. there was a suggestion to substantiate the proposals with real, succinct arguments based on philosophical, anthropological and historical perspectives.

Gus Miclat raised the question of the Philippine groups not just accepting Timorese exiles for training, but also those Timorese seeking refuge.

## 2. Resource Mobilization and Development Cooperation

2.1. Recommendation to concentrate in the following key areas of work:

(a) Political and Policy Advocacy

- Pressure the Indonesian government to open East Timor to NGOs
- Support the diplomatic initiatives of the CNRM
- Support the Nobel Peace Prize nomination of Bishop Belo

(b) Provide and channel humanitarian relief thru the churches (e.g. medicines, clothing, etc.)

(c) Capacity-building for the East Timor people

- Send Fact Finding Teams or study groups to East Timor
- Training exchanges and seminars
- Technology exchange and services

(d) Campaign/Action/Mobilization

- Generate resources: finances, logistics, and people among NGOs in Southeast Asia for the Maubere people
- Influence institutions in Indonesia and East Timor to work for the Maubere people

(e) Coordination and Linkages

- Tap the traditionally "non-political" network e.g. adopt a parish movement
- Strengthen solidarity among the various support groups
- Coordinate with East Timor Relief Association

### 2.2. Comments/Suggestions

Re: Proposal to support nomination of Bishop Belo for Nobel Peace Prize Award, there are only three groups recognized to nominate somebody for such award, namely: members of the parliament/government, members of supreme court/judges and previous Novel Peace Prize winners. Likewise, publicity is not advisable for such.

## 3. Church Solidarity

### 3.1. Backgrounder

(a) Awareness in church circles as outside much greater after November 91

(b) Problem of dealing with Vatican

(c) Continuing appeals by Bishop Belo for support and solidarity

(d) Belo has appealed for visit, assistance (financial, personnel, training)

(e) Political solidarity

### 3.2. Task

(a) Step up support of Bishop Belo and East Timorese Church

(b) Dialogue

(c) Verbal and written support from Church hierarchies world wide

(d) From Protestant churches and progressive muslims

(e) Conduct visits, delegations

(f) Financial and material assistance, training for youth

### 3.3. Comments/Suggestions

The historical experience of the Church in East Timor is such that it became impossible for the church to remain merely pastoral. Rather the East Timor experience has radicalized its priests and religious.

The Vatican, while it has not recognized Indonesian annexation, has neither released formal statements protesting the illegal occupation.

It was also explained that there is a need to rehabilitate the church buildings and infrastructure destroyed by Indonesian invasion and occupation. Financial assistance was called for. Equally needed is the adequate training of East Timorese priests.

## 4. Women

### 4.1. Backgrounder

In the workshop on the women situation and women's struggle in East Timor, the participants were two Moro women and four from women's organizations in the Philippines, another from a Filipino NGO, one from Switzerland, Canada, Hong Kong, Australia

They expressed the willingness to disseminate information about women in East Timor and take action in their support whenever possible.

We appreciate the efforts of the conference organizers but unfortunately there was a strong emphasis on the male leadership and the women's situation was not sufficiently addressed.

### 4.2. Recommendations

(a) to copy and disseminate the material that is available here at the conference

(b) to identify someone responsible to collect the material that will be sent to the APCET secretariat and send it out to all participants

Furthermore we demand that in future conferences (e.g., Sept 94 in Germany) East Timorese will be invited to speak on the situation and struggle of women in East Timor

### 4.3. Solidarity Message

APCET sends its solidarity message to the women of East Timor. We support their efforts for full participation of women in decision-making in society as well as in the struggle for self-determination as women and as East Timorese.

### 4.4. Recommendations

(a) Participants willing to disseminate information about East Timor can take action whenever possible

(b) Demand that in future conferences on East Timor that women be invited to speak on their experiences

(c) Send solidarity messages from APCET participants to the women in East Timor

### 4.4. Proposals for Resolutions

(a) Condemn population control program in East Timor -- part of genocide in East Timor

 (i) condemn Indonesia

 (ii) condemn World Bank and IMF

(b) Because of violence and sexual violence against women, request UN Representative on Torture not only assume that women speak on behalf of East Timor but make specific effort to consult with the women of East Timor

### 4.5. Comments/Suggestions

There was a sugg′ on that preparatory work for the China Conference on women is needed immediately.

The point was raised that because of a cultural background compounded by a painful history, women of East Timor might not be willing to share their experiences. It was reported, however that there is actually no shortage of information about women's experiences in East Timor, and there is a need for them to be made available. Towards this end, this workshop group members have decided to take the initiative of putting together a compilation of materials on the subject matter.

It was added that re the training program for the East Timorese raised by the workshop on church, mere assurances that women's perspective will be taken up is not satisfactory.

## 5. Indigenous Peoples

### 5.1. Backgrounder/Sharing

#### Moro

Roughly six million of the total population of the Philippines are Moro. Moro is a political title for those not subjugated by the Spanish colonizers. Muslim is a term used for people who have embraced the Islam religion. The moro people have been fighting for their right to self-determination since time immemorial (thus the term "moro"). These days there are different factions claiming to be the champion of the moro cause: the MNLF, MILF, Moro Revolutionary Organization, etc.

The East Timorese experience of a genocide war was also experienced by the Moro people during the height of the Civil Conflict in Mindanao under the Marcos dictatorship.

The Moro and East Timorese peoples go on with the struggle for the right to self-determination.

#### Lumads

Lumad is a Mindanao generic term for Indigenous Peoples. Three are 13 ethno-linguistic tribes in Mindanao with the Subanens as the biggest followed by the Manobos then the Tirurays (then the rest...). They used to occupy the lowlands but have been either assimilated by the settlers coming from the north (luzon) and central (Visayas) Philippines; or driven higher up the mountains or the periphery of the urban and urban-like communities established. Basically they become victims of deceptive land laws (losing their ancestral domain/land in the process) and victims of those who want to exploit the natural resources (forests, mineral resources, etc.). They have now awakened to their plight and NGOs and institutions have been set up by them for themselves. One such institution is the Lumad Development Center, Inc. based in Cotabato.

#### West Papua

Rich in natural resources, West Papua has a current population of 1.5 million. Also an assimilated province of Indonesia found at the Western part of the Island of New Guinea. They consider themselves Melanesian with totally different cultural ethnicity, geographical flora and fauna from the Indonesians. Yet they find themselves victims of "cultural" as well as physical oppression: the transmigration policy of Indonesia, Javanization, genocide, militarization and biological warfare.

They consider East Timor more lucky or in a better situation since support groups have been established and their issue more recognized by the HR desks, organizations and communities.

West Papua is struggling for the right to self-determination. No NGOs exist in there and it is difficult for foreigners to get in. One has to get an internal passport to go from one village to the next.

APCET has not endeared itself to Indonesia because a recognized East Timorese struggle can/will/might open a big trunk of other "Indonesian provinces" struggling and fighting for right to self-determination.

5.2. Recommendations

(a) Support East Timorese struggle for self-determination, therefore, we recognize and support other peoples' right to self-determination

(b) other national liberation struggles

(c) minorities and indigenous peoples common concern in ASPAC -- joint conference in near future

(d) development policies not to suppress people's right to self-determination

(e) condemn all military operations on indigenous peoples

## 6. People's Diplomacy, Education and Information Campaigns

6.1. The APCET in its attempt at generating worldwide attention to the East Timor issue, does not owe its success to the Suharto-Ramos publicity. Rather, it is the firm resolve of the organizers and participants (local and foreign) to pursue the Asia-Pacific solidarity conference for East Timor and to assert their right to freedom of expression and assembly that is primarily responsible for bringing to the fore the struggle of the East Timorese for freedom and self-determination.

6.2. Recommendations

(a) Raise the matter anew before the UN Decolonization Committee

(b) ASEAN Post-Ministerial Meeting

(c) Use other UN mechanisms/commissions to bring up the East Timor issue

(d) IPJET Conference

(e) Lobby before the Japanese Diet

(f) Look into the independence of the East Timor Judiciary

(g) IPJET book on East Timor

(h) Lobby work in international bodies (inter-GOs, GOs, NGOs)

(i) UN Decolonization Committee

(ii) South Pacific Forum

(iii) APEC meet in December

(iv) NAM

(v) Vatican

(vi) Ecumenical bodies like the World Council of Churches and the Christian Conference for Asia

(i) To request Mdme. Mitterand to take up the issue of East Timor with President and Mrs. Ramos when they visit France in September and next month

(j) To organize a pool of resource persons for educational campaigns in schools

(k) Study seriously the viability and practicability of an alternative news bureau for the mainstream media

(l) maximize already existing networks in Asia-Pacific and elsewhere for information exchange/dissemination

(m) identify targets for information campaigns especially those groups with influence in decision-making

(n) strategize on how to consolidate the gains of APCET for sustained and systematic information campaigns

(o) formation of solidarity groups for East Timor at the national/international and regional (Asia-Pacific) levels

(p) hold regular solidarity activities for East Timor (anniversaries, commemoration) and to hold "protest receptions to visiting Indonesian officials

(q) mobilize international support for the democratic movement in Indonesia

(r) APCET courtesy call to Philippine Congress and Senate

### 6.3. Comments/Suggestions

Additional suggestions were put to the plenary. One, to get in touch with the following groups for purposes of networking: Cultural Survival based in Harvard; Survival International based in London, and; Katipunan ng Katutubong Mamamayan ng Pilipinas. Two, to coordinate follow-up activities of APCET to coincide with the East Asia Business Conference in Davao, November this year. Preferably, the activity should take place in Davao also.

## 7. Legal Aspects in East Timor

7.1. The following recommendations are those that can be implemented on the legal front of the East Timor campaign:

**(a) Raise the matter anew before the UN Decolonisation Committee**

Petitions sent to the Decolonisation Committee seeking for speedy resolution of the East Timor conflict are needed to pressure the committee to act more decisively. Such petitions could be sent through the International Platform of Jurists for East Timor (IPJET) or the International Federation for East Timor (IFET), both of which have testified before this committee. The committee's next session on East Timor is scheduled on July 12, 1994

(b) **Be involved in the upcoming ASEAN Post-Ministerial Meeting**

The meeting shall be held in Bangkok this 1994. With the help of Thai human rights NGOs, the issue of East Timor could be afforded ample publicity and included in the agenda of the meeting.

(c) **Utilize other UN mechanisms/commissions**

Apart from the UN Decolonisation Committee, other commissions that could be lobbied upon with regard to East Timor, includes the Commission on Human Rights in Geneva, UNICEF and others.

(d) **Take part in the IPJET Conference**

IPJET is an international organization of jurists and nonjurists whose secretariat is based in Leiden, the Netherlands. IPJET has an upcoming conference in Isserholn, Germany scheduled on September 30 to October 2, 1994. IPJET is also conducting a contest for the best thesis on East Timor, offering a prize of US$1,000.

(e) **Lobby before the Japanese Diet**

A number of Japanese parliamentarians are sympathetic to the plight of the East Timorese and are critical of Indonesia's human rights record. They could yield influence, specially on the matter of Japanese ODA, of which Indonesia is a major recipient.

(f) **Look into the independence of the East Timorese judiciary**

Human rights violations in East Timor could be lessened if there is a strong and independent judiciary. Its performance could be assessed by independent monitoring bodies.

(g) **IPJET book on East Timor**

A book on East Timor written by twenty members of IPJET is due to be released on January 1995.

The above recommendations were given with the understanding that any such recommendation is irrelevant if the people of East Timor are not directly involved. They should at least be informed that such initiatives are taking place.

### 7.2. Suggestions/Comments

(a) IPJET has tried to raise the East Timorese issue in the UN Decolonization Committee

(b) APCET members can attend the IPJET conference in September 1994 in Germany

## Workshop 2:

# Building Asian Solidarity Links with East Timor

**Composition (Organization/s and Country of Origin):**

Asia Monitor Resource Center - Hongkong

Lawyers for a Democratic Society - South Korea

Free East Timor Japan Coalition - Japan

Women's Resource and Research Center / Southeast Asian Women's Information Network - Philippines

Amnesty International - Philippines

South Asia Forum for Human Rights - Nepal

Popular Education for People's Empowerment - Philippines

Asia-Pacific Information Desk - Switzerland

East Timor Relief Association, Inc. - Australia

NFLP-West Papua Support Group - Australia

Saskia Kouwenberg - Australia

Asian Students Association - Hongkong

Philippine Alliance of Human Rights Advocates - Philippines

Promotion of Church People's Rights - Philippines

Leandro L. Alejandro Foundation - Philippines

People's Council for Solidarity and Peace

East Timor Action Network - USA

People's Global Exchange - Philippines

Notre Dame University Peace Center - Philippines

Asian Center for the Progress of Peoples - Hongkong

National Council of Churches in the Philippines-Philippines

Japanese Catholic Council for Justice and Peace - Japan

Indian Society of Human Rights/IPJET - India

Friends of East Timor - Australia

Helia Hai - Hongkong

ACFOD - Thailand

SUARAM - Malaysia

### Background

Each of the representatives introduced themselves and their organizations, shared briefly 1) the depth of their involvement in the East Timor issue; 2) the information technology they possess; 3) their capabilities for resource generation; 4) the breadth of their networks; and 5) their needs.

Out of this sharing emerged areas of concern which the group felt should be addressed immediately (drawing categories from Workshop One), namely the following:

1. Information and Education
2. Communication/Networking
3. Campaign Action
4. Humanitarian Relief and Resource Mobilization
5. Political and Policy Advocacy

The workshop was divided into three smaller groups to discuss in more detail the above-mentioned categories. Areas (1) and (2) were fused and assigned to one group which we shall refer to as group A; while (3) and (5) went to group B, with (4) taken up by group C.

## GROUP A

An appraisal of the requirement of the existing organizations working in solidarity with the Maubere people revealed the following needs:

1. a survey of the resources available on East Timor;
2. how to effectively disseminate these resources in the regional, national and grassroot levels; and
3. a comprehensive knowledge of existing networks which can be tapped for such purposes.

The following resources were identified:

1. Films e.g. "Death of a Nation", "In Cold Blood", and "Xanana"
2. Books (although a little bit expensive)
3. Indonesian Kit Booklet from Canada
4. A Human Rights module by the Diokno Foundation, focusing on East Timor, from the Philippines
5. Music by East Timor and other artists in solidarity are available in cassette and compact disc formats
6. "Introduction to East Timor" from the USA available thru electronic mail
7. One radio script and audio tapes from the USA
8. Photographs, printed materials, tapes and photos from Amnesty International
9. Paintings by a Timorese artist based in Darwin are also available

10. Plus, of course, resources published or sent thru E-mail by the solidarity organizations present in this conference
11. Resource persons, East Timorese in exile

### Suggestions on how to disseminate information include:

1. Materials made available could be translated to the languages of the countries who receive them. Videos, in particular, should be available in all of the formats in existence.

2. Expensive books could be reprinted in countries where printing costs are lower.

3. Twinning, or country to country exchange of materials should be promoted.

4. Cultural exchanges (e.g. cultural groups) should take place.

5. Strengthen the linkages with the Churches.

6. Use the comics form (e.g. Cuba for Beginners) to popularize the issue especially among the grassroots.

7. Issue "Urgent Appeals" - two page documents relaying emergency situations (e.g. arrests, massacres, etc.) thru the network.

8. ETRA should come out with a list containing the resources they have which are for distribution and/or for sale.

9. Put up or sponsor art exhibits by Timorese artists. Contact artist groups in this regard.

10. Produce one or two music videos for V (previously MTV-Asia)

11. Integrate the women's situation in East Timor in order to make other women's networks aware of the plight of women in the country.

12. Increase the East Timor information drive in South Asia (India, Nepal, Sri Lanka)

13. Coordinate an international concert. (Wow!)

14. Follow-up the conference (after this, what?)

15. Information packaging. Show the East Timorese not only as victims but as proud fighters who retain their dignity (especially the women).

16. Integrate the existing Asian Networks into the global network.

### Network Building

Some existing networks were identified:

Regional level: Asia-Pacific Human Rights NGO Network
ACCP

Sub-region: Southeast Asia Network for Human Rights
(SEA Net)

| | |
|---|---|
| East Asia: | Korean Human Rights Network (KOHRNet) |
| | South Asian HR Documentation Center |
| Pacific: | Nuclear Free and Independent Pacific |
| | Suva and Fiji, Aoetoroa - New Zealand, |
| | Australia |
| West Asia | |

### Comments on Group A from the body:

1. There are more networks in the region and sub-regional levels.

   We have to identify them all.

2. Campaign for Muslim groups to write to Islamic nations/communities condemning the HR violations in East Timor as against being Islamic.

## GROUP B

Observing the reports from the organizations reveals the lack of coordination of all our various efforts. Furthermore, past commitments to East Timor, like the Bangkok meeting of NGOs to form an action committee, has not materialized. It is also perceived that campaigns should extend to South Asia, West Asia and the Pacific.

### Campaign Action

1. There is a perceived need for regular, widespread, planned and well-coordinated campaigns on East Timor targetting the United Nations, governments, parliamentarians and even the NGOs.

2. November 12 (the date of the Dili massacre) should be regularly commemorated or called as the solidarity day for East Timor. We can send post cards, write letters, organize demonstrations, and sign petitions, at around this time in our respective countries.

3. We should encourage the boycott of Indonesian products.

4. Ask ETRA to send delegates to different organizations, to speaking tours in various countries of the Asia-Pacific.

5. We must know all the upcoming international conferences which will be held in the region. We should use these venues to bring the issue of East Timor to the international community. For example: World Conference of Social Workers, July 1994; ASEAN Human Rights Meeting, July 25-27, 1994; Asia-Pacific Human Rights Conference in the Philippines, January 1995; the Women's Conference in Beijing.

6. We should organize the Asia-Pacific parliamentarians while the publicity generated by this conference is still high.

7. We should organize two missions to East Timor. One, a high level one, which will consist of parliamentarians from Asia, and the second, a low profile one which will

be composed of NGO and human rights workers and churchpeople. The aims of the first mission is: **a) to sustain the high level campaign started by this conference; b) for the parliamentarians to talk with the Indonesian government; c) for the parliamentarians to talk with political prisoners, including Xanana Gusmao.**

The second mission would try **to get concrete information on the inside situation of East Timor and if possible, to provide some training for the local people.**

8. Last, but not the least, we should campaign for, or at the very least, express our support to the CNRM's peace plan.

### Political and Policy Advocacy

1. Lobby our parliamentarians to join the mission to East Timor.
2. Do advocacy work for the CNRM Peace Plan.
3. Put pressure to bear on the Japanese and Korean governments - the biggest donors of official aid — to suspend all aid to Indonesia until the situation in East Timor is resolved.

   Perhaps, we can pass a resolution calling on these governments to look into the real situation in East Timor.
4. Use the United Nations mechanisms and structures for our advocacy work.
5. Lobby our governments to: 1) write a letter of concern to the Indonesian government and 2) support the CNRM's peace proposal.
6. SAPHUR will send the conference information to all the members of the parliament in their government
7. We should endorse Bishop Belo's nomination for the 1994 Nobel Peace prize.

### Comments on Group 2 from the body:

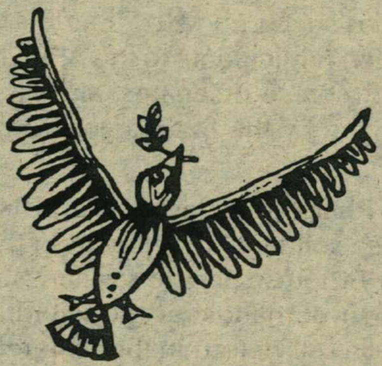
1. We should discuss the ramifications of endorsing Bishop Belo. If this will help, then we must endorse him. If not, we should coordinate an uncoordinated campaign.
2. Regarding the mission, we should organize as much support for the East Timor missions even if we are not allowed in. Our objective is to raise the issue to the UN.
3. Add December 7, the anniversary of the invasion of East Timor as one of our commemorative days.
4. Stress the UN Security Council's resolutions. Call for the release of all political prisoners, an immediate ceasefire, the withdrawal of troops or demilitarization, a fair and honest referendum, and a UN representative to visit East Timor.
5. Campaigns must be linked to local issues to pick up public interest.
6. CNRM/East Timorese spokespersons, personalities, etc. must be involved in all campaigns, organizing, and must be consulted when we choose priorities for campaigns.

## GROUP C:

1. Encourage and ensure projects and support work inside East Timor thru ETRA.
2. Set up a coordinating center in Asia for solidarity work in East Timor. The staff who shall be employed will be funded by sponsor countries whose responsibility for raising funds shall rotate with the other countries every month.
3. Set up a Kamal Bramahadj Foundation to support projects which encourage Asian people to be in solidarity with other Asian nation (focus on East Timor).
4. Support for Bishop Belo's seminary project.
5. Foster a student plan — a family in another country can support a student in East Timor.
6. Help ETRA in its Japan Tour to establish links and possibly extend to South Korea.

### Additional points raised in the open forum:

1. Teachers' Alliance for Nationalism and Democracy offers its support to raise awareness on East Timor in schools and at grassroots level.
2. Aotearoa-New Zealand should be included in the campaign forum of the Pacific and Asia.
3. Organizations and people in Aotearoa-New Zealand will also have a great interest in supporting Kamal Bramahadj Foundation.
4. The Asia-Pacific campaign should also target PAX-Christi International in lobby and information dissemination.
5. In Australia, joint production on a drama about East Timor will be produced with the cooperation of Moro artists.
6. If boycott action is to be taken, the target should be more specified in order to make the action more effective.
7. Lobby Japan to pressure Indonesia on the issue of East Timor as part of the conditions of Overseas Development Aid (ODA).



# Statement on Behalf of the Foreign Delegation

Shambu Chopra

FIRST of all, the foreign participants in the APCET would like to congratulate the Filipino convenors in their initiative and persistence in holding this international conference, thereby demonstrating Asian support to the East Timorese struggle for self-determination. It is not surprising that such an initiative would come from the Philippines given the strong tradition of struggle for democracy and human rights that exists in this country.

Around the world, everybody has heard of Filipino "people's power". The holding of this conference is clear proof of the solidarity of the Filipino people with the East Timorese struggle.

In 1975, the Suharto government of Indonesia ordered its army to invade and occupy East Timor. Since that invasion, over 250,000 people have died. Tens of thousands were killed by the Indonesian military. Tens and thousands of others died of starvation and disease as a result of the disruption of East Timorese society by the occupying army.

All the people's democratic rights including that of freedom of assembly, freedom of expression, etc., are suppressed. Even after the initial invasion, military offensives against the East Timorese population continue today. Forced resettlement of about 70% of the population, use of defoliate agents, famine, resettlement, massacres, imprisonment, torture, rape, salvaging, arbitrary killings still continue but the East Timorese people remain steadfast in their struggle for justice, freedom and self-determination.

On November 12, 1991, over two hundred people were killed when they marched to openly declare their desire for independence. The East Timorese struggle for their rights has inspired many people around the world. Some of us have visited East Timor and witnessed the struggle on the spot. We have all campaigned to build public support for their struggle, and have tried to stop our own governments, if they have been supportive of the Suharto government, in its effort to silence the East Timorese people.

It is unfortunate that the East Timorese people and those concerned about their basic human rights have had to face from the Ramos government the same hypocritical policy of silencing any attempt to broaden the information on the East Timor situation. We deplore the fact that President Ramos has succumbed to Suharto's bullying. We express our protest against the deportation of foreign participants to the APCET conference. We are especially saddened that so many East Timorese delegates, already deprived of their homeland by Suharto, have now been deprived by the Ramos government of the right to speak to the Filipino people.

Once again, we thank the Philippine convenors and its secretariat, and look forward to the growth of the East Timorese solidarity movement in the Philippines as well as all over the world. In this way, the East Timorese people's valiant struggle for their human rights will more quickly succeed, and their demands for the withdrawal of Indonesian troops from their country and the holding of a self-determination referendum will be met more speedily.

Thank you very much.

**Shambu Chopra** *is President of the International Platform of Jurists for East Timor (IPJET)*

### Keynote Speech 1

# The Tragedy of East Timor is Our Own Tragedy

**Senator Wigberto Tañada**

FIRST, let me say that as a human rights advocate, I am greatly honored to address this controversial Asia Pacific Conference on East Timor. As a peace advocate, I am now even more challenged to be with you today. And as an elected official, I declare my solidarity with this "unofficial" conference.

Second, let me say that despite the many obstacles put on its path, this conference has achieved its objectives even before it started. Thanks to our friends in the Indonesian Foreign Affairs Ministry and the Philippine National Security Council, the Foreign Affairs Department, the Immigration Bureau, the Quezon City court and of course President Ramos, an almost forgotten issue has become an international cause celebre which even APCET organizers never imagined or planned.

Third, let me say that at a time when compacts for peace are replacing cycles of war in major parts of our world, when colonizers are finally recognizing the legitimate rights of the colonized to their homeland, it is the height of hypocrisy that this government should tolerate the bloody colonization and continuing oppression, repression and persecution of a people, all in the name of preserving ASEAN unity.

For certain, APCET has upset the false equanimity in this region. It has forced out into the open certain questions that have long been swept under the ASEAN rug of authoritarianism. What are these key questions?

> ONE, what is the problem of East Timor that Indonesia should resort to diplomatic blackmail to stop the holding of a human rights conference on it?
>
> TWO, why should we be concerned about the plight of the people of East Timor when this could adversely affect our relationship with an ASEAN ally?
>
> THREE, is "national interest served by turning a blind eye to the condition of East Timor?

Let us tackle the first question. In 1974, the Colonel's Revolt in Portugal forced this aged colonial power to abandon its colonies, including the tiny country of East Timor. On November 28, 1975, the nationalist revolutionary front FRETILIN which held de facto control over the whole country proclaimed the independence of the Democratic Republic of East Timor. Nine days after, the Indonesian army invaded East Timor and annexed it as Indonesia's 27th province.

Summary executions, mass arrests, forcible migrations to "community villages", bombing raids using napalm and defoliants took place, not to mention rape, torture and looting by Indonesian troops. Thus was Indonesians sovereignty over East Timor established to the accompaniment of the sound of sea and land shelling and the rumble of advancing tanks and cannons against a newly-independent people who won in 1975 had freed themselves from 300 years of Portuguese colonial rule.

According to documented reports, 200,000 Timorese died during the full-scale invasion. This was one-third of East Timor's population then. In 1983, Amnesty International in London published an 82-page Indonesian military manual instructing its troops in East Timor "to avoid taking photographs showing torture in progress" so that "the antipathy of the people is not aroused.

On November 12, 1991, according to a documentary film produced by the journalists John Pilger and David Munro, at least 271 people were massacred in Dili, East Timor's capital, while attending a funeral procession for a slain activist.

The Dili massacre was soon followed by the rounding up and execution of as many as 100 people in an attempt to suppress information about the earlier massacre.

The killing provoked an international outcry and the cancellation of a UN-sponsored meeting in Jakarta. In reaction, Indonesia banned human rights groups like Amnesty international from ever visiting East Timor.

As early as 1975, the UN General Assembly passed a resolution calling on Indonesia to withdraw from East Timor. The UN has since categorized East Timor as a non-self-governing authority whose people are entitled to exercise their inalienable right to self-determination. In effect, even the United Nations recognizes as legitimate all forms of opposition to a colonial presence in a country where people are fighting for liberation.

In 1992, a UN resolution called on the UN Secretary General to initiate consultation with all parties to explore all avenues for achieving a comprehensive settlement of the problem. But Indonesia rejected the participation of any East Timorese representative in all future talks and the holding of a referendum on East Timorese independence. Last year 22 member states of the UN Commission on Human Rights in Geneva passed and approved a resolution critical of human rights violations in East Timor, despite the objections of Indonesia which was seated as vice-chairman of the same commission.

This is the record of Indonesia on East Timor and the record speaks for itself.

This brings to our second question. Why should we care about the plight of a relatively obscure and isolated people when there seems nothing to gain from this as far as our country is concerned?

We should care because our sense of worth as human beings obliges us not to deny others of their own humanity and human existence. When a country goes against the grain of human decency, it is right to protest and immoral to compute the cost-benefit of protesting. To ignore injustice and oppression is to betray our humanity, to fail in our adherence to human rights, and to subvert our conscience which stands for what is good and just.

As one of our foremost advocates, Senator. Jose Diokno, put it: "The conscience of all mankind must condemn violations of human rights." For there is no excuse for torture, political imprisonment and killings - whether they be in Bosnia, Iraq, El Salvador, East Timor, Indonesia or the Philippines. There is no excuse for denying people their inalienable right to self-determination and independence. For it is by virtue of this right that people freely pursue their economic, social and cultural development.

History has shown that the world cannot turn a blind eye to a country's disregard and contempt for human rights for these usually result in barbarous acts which outrage the conscience of mankind. We have the horrors of the Holocaust to forever remind us of this. It is for this reason that after the Second World war, we bound ourselves into a community of nations and sealed the Universal Declaration of Human Rights to uphold "the inherent dignity and the rights of all members of the human family as the foundation of freedom, justice and peace in the world."

When a country occupies another and annexes it as its province, we cannot accept this as an internal affair between the invader and the occupied weaker state. This is imperialism. And imperialism is oppression. And oppression should be condemned everywhere, just as we condemned the former Soviet Union when it invaded Afghanistan and Iraq when it invaded Kuwait. In this corner of our globe, imperialism cannot be masked even when it is undertaken by a Third World country. The mere fact the East Timor has been the subject of UN resolutions and the constant agenda in the UN Decolonization Committee shows it is not an internal Indonesian problem.

Let me thus state bluntly that it is not the Indonesian people who are at war with the people of East Timor. The Timorese are at war with the Indonesian army which occupies them. Should the East Timorese be grateful to have an Indonesian colonialism rather than Portuguese colonialism? As Xanana Gusmao, imprisoned leader of the East Timorese, asked: "Can colonialism be quantified as good or bad?"

Simply put, the issue of East Timor involved invasion, military occupation and annexation. The issue involves the domination of the weak by the force of arms of the strong, under the dictum that "might is right." The issue involves what has been termed as Indonesia's version of Auschwitz, where millions of Jews were exterminated by the Nazis in their "final solution" of ethnic cleansing.

This brings to our third question. Is Philippine "national interest" served by turning a blind eye to the human tragedy that is East Timor?

Since martial law, the Philippine government has officially granted de jure recognition to the de facto integration of East Timor into Indonesia. It has supported Indonesia all the way, in defiance of UN resolutions for Indonesian withdrawal from East Timor. Today, this official attitude has not changed. Over this past month, we have seen how the Ramos government has bent over backwards to accommodate every Indonesian demand to stop the holding of the Asia-Pacific Conference on East Timor from barring foreign delegates, expelling a Nobel peace prize winner and clamping a restraining order on the whole affair, which the Supreme Court yesterday saw fit to lift on constitutional grounds.

Let me say this, it is a perversion of national interest to equate non-interference with silence, to abandon conviction for the sake of opportunism and to foster the illusion of an imaginary common interest where no real common interest exists. It is a cowardly foreign policy which negates its own constitutional guarantees on freedom of assembly and freedom of expression in the name of diplomacy, which allows itself to be bullied by another state as if it were its vassal and which cannot distinguish between friendship and subservience. Let me say this too, it is a weak-kneed President who answers foreign dictation with abdication, barters national honor in exchange for temporary trade benefits and deludes himself that by appeasing his neighbor peace and prosperity will be at hand.

In doing this, government has reduced our Constitution to a powerless formality and diminished our sovereignly. In doing this, government has brought on us shame and humiliation that we are a supplicant people who not only bend their knees but their minds.

If anything then Ramos government's efforts to cancel this human rights conference only exposes the same traditional mendicant role of the foreign policy designed by the National Security Council. Behind this council's glossy rhetoric of deceptive nationalism is the colonial mentality of government that has been so deeply ingrained it subordinates the interests of its people to that of a bigger, powerful country.

Now let me say this, we do not want to sit in summary judgement over Indonesia. God knows the Philippines has its own bad record on human rights. But through this conference, we appeal to the honest senses of Indonesia to realize that its leadership of the Third World Non-Aligned Movement lies in its ability to respect the rights of its member nations and to recognize the rights of those it has conquered. The block vote of Third World solidarity against the North countries should not be used as an argument to spread and tolerate human suffering and degradation, wherever it is found.

Our neighbor Indonesia must understand that we cannot officially close our eyes to the sordid human rights violations in East Timor for this would compromise our commitment to human rights and betray us into a tacit support for a war that is without justification. Indonesia must understand that barely 40 years ago, it too fought to overthrow the yoke of Dutch colonialism and establish its independence. The Philippines too, like many other countries of the Asia-Pacific, shares this history of liberation struggles, which should push it more to help those still fighting for their liberation.

The relationship of Indonesia and the Philippines must stand on stronger ground. It must be strong enough not to be affected by the holding of a private affair by non-government organizations. It must be strong enough not to disrupt the peace negotiations being held in Jakarta that could solve the long-standing Moro rebellion in the Philippines. Solidarity and harmony must be based on mutual recognition and respect for each other's national sovereignty, independence, constitutional rights and processes.

Meantime, East Timor refuses to be forgotten. The just struggle of its people cries out for deliverance. The road towards a just political solution to the problem of East Timor must be found. In this regard, the peaceful settlement of the racial conflict in South Africa and the PLO-Israeli accord provide us with insights as to what is possible. That no conflict is so intractable or permanent which cannot be ended by two enemies making peace with one another.

Before I end, let me dwell on the significance of this conference by quoting Terence de Pres who denounced the terrors of the Nazi death camps: "When governments across the face of the earth, not excluding our own, are prepared to sacrifice populations and shoot down protest in any form, when darkness begins to seem total, proof to the contrary becomes invaluable." This solidarity conference on East Timor provides that proof.

It is thus my honor to be part of this conference of courage and hope. Like you all, I look forward to the day when East Timor will acquire its independence and take its rightful place in the community of nations. When that time comes, let it not be said that the Philippines, their neighbor, was a silent party to their continuing oppression, repression and persecution and an accessory in blocking their bid for independence.

Maraming salamat. Mabuhay tayong lahat! At mabuhay ang East Timor!

**SENATOR WIGBERTO TANADA**, *a staunch human rights and peace advocate; led the "Magnificent 12" of senators in a landmark Senate decision to expel the US military bases from the country; voted by the Congress Post as one of fourteen Most Outstanding Neophytes in Congress; honored as one of six senators who have demonstrated keen intelligence, form and critical judgement. He is currently serving his second term as Senator; elected President of the Liberal Party and Senate Minority Floorleader.*

### Keynote Speech 2

# The Right to Self-Determination is the most Important Human Right

**(Ret.) Chief Justice Marcelo B. Fernan**

THE circumstances that attended the mounting of this conference reflect so vividly the panorama of contentiousness prevailing in the global community regarding the East Timor situation.

That we have persisted in holding this conference despite the climate of inhibitions foisted by the modus vivendi forged by the Philippine and Indonesian governments should not, however, be construed as a conscious and stubborn effort to stoke further the fires of contention.

On a larger scale, it must be viewed, instead, as an expression of commitment to the imperative of discovering just avenues towards the resolution of contentions. And on a more limited scale, as a principled initiative at expanding the arena of discussion on an issue crucial to the future of the people of East Timor, the stability of the region, and the integrity of the commitment of the nations of the world to genuine international security and peace.

The comparison may be frail owing to the differences in socio-political conditions, but, in the recent past, when the Philippines lay prostrate under the heels of a dictatorship with the aspirations of our people for freedom cruelly stiffled by the forces of repression, we, too, sought refuge among the freedom-loving peoples of foreign nations hoping that our struggle to break the yoke of the dictatorship may be buoyed by the force of international opinion.

We are, therefore, compelled to remember that the aspiration for freedom is the single, most vital humanizing and civilizing link that unites all peoples of the world despite the barriers of race, culture and creed. It is an aspiration that knows no bounds nor fear. It is an aspiration that imbues the human spirit with the shining glow of courage, dignity, justice and truth.

My presence at this hour, perhaps, can serve as a small contribution to the survival of this aspiration.

My task is to discuss the implications of the East Timor situation on the corpus of international law. I must forewarn you, however, that much of what I will say has been said before. Many learned studies on the subject have been published and discussed, and the most I can contribute is to emphasize those areas I deem to be most significant.

## The Right to Self-Determination

The principle of self-determination has been defined as “the needto pay regard to the freely expressed will of peoples ”.[1]

United Nations doctrine recognizes that non-self governing territories have the right to self-determination, and that right entitles each territory to choose the status it will assume on completing decolonisation. Status alternatives include emergencies as a sovereign state, free association with an independent state, or integration with a sovereign state, and such other political status “freely determined by a people.”[2]

Prior to the full-scale invasion of East Timor, the UN General Assembly was already considering a Resolution sponsored by Indonesia and other nations, calling on all states to self-determination, freedom and independence.[3]

This reveals that member states of the UN, including Indonesia, supported the position that the people of East Timor were entitled to the rights recognized under the Declaration on the Granting of Independence to Colonial Countries and Peoples, and the International Covenants on Civil and Political, and On Economic, Social and Cultural Rights.

Article 1 of each of the Covenants provides that:

All people have the right of self-determination. By virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural development.[4]

Principle IX of the UN General Assembly Resolution 1541 of 1960 also provides that:

Integration should have come about in the following circumstances:

(a) The integrating territory should have attained an advanced stage of self-government with free political institutions, so that its peoples would have the capacity to make a responsible choice through informed and democratic processes.

(b) The integration should be the result of the freely expressed wishes of the territory's peoples acting with full knowledge of the change in their status, their wishes having been expressed through informed and democratic processes, impartially conducted and based on universal adult suffrage. The United Nations could, when it deems it necessary, supervise these processes.[5]

These documents offer verifiable standards against which can be measured the validity of Indonesia's actions concerning East Timor.

Three explanations impacting on the principles of self-determination have been offered by Indonesia concerning its efforts to integrate East Timor.

First, that integration is the will of the East Timorese people. Second, that regardless of any explicit consent to the integration, the historical, ethnic, cultural and geographical ties between Indonesia and East Timor established the latter as an integral part of the Indonesian archipelago. Implicit to this assertion is that administration of East Timor by any authority other than Indonesia would violate Indonesia's territorial integrity. And third, East Timor is not economically viable. It requires direction and assistance from an economically stable state before it can be expected to survive as an independent state.[6]

It must be noted that there has not been a comprehensive legal case presented by Indonesia for its actions. Its positions are gleaned principally from the statements of its representatives in the General Assembly and the Security Council and from Indonesian publications.[7]

## Integration as Free Expression of the East Timorese People's Will

On the assertion that the East Timorese integration with Indonesia is a free expression of will, allegations are rife that the process was stage-managed by Indonesia and did not reflect the true will of the East Timorese. It is also alleged that contrary to Principle IX aforecited, representatives to the Regional Popular Assembly were not impartially or freely conducted, with the election process violating the principle of universal adult suffrage. With the integrity and validity of the RPA in question, its petition for integration similarly becomes questionable.

The absence of verifiable record of the proceedings as well as third party supervision, perhaps by the United Nations, or such nations not known for being sympathetic to Indonesian interests, further exacerbate suspicions on the impartial conduct of the proceedings.

Moreover, it is to be stressed that at the time, no strong claim can be posited that the people of East Timor have attained an advanced stage of self-government with free political institutions to have the capacity to make a responsible choice for integration through informed and democratic processes.

In view of perceived deficiencies in the requisite compliance to Principle IX aforecited, there is ground to assert that grave violations of the right of peoples and states to self-determination have been committed in the case of East Timor. Indeed, the United Nations did not and has not recognized that the East Timorese exercised self-determination in regard to their integration with Indonesia.

## Historic, Ethnic and Cultural Ties

According to Roger S. Clark, the most explicit expression of the ethnic ties argument appears in a November, 1975 press release from the Indonesian Embassy in Washington which argues not only that Timor is geographically part of the Indonesian archipelago, but also that ethnically, the people living in their Portuguese controlled part of the island (East Timor) are the same as the people of Indonesia. Said statement also maintains that in the past, like Indonesia, Timor was under the administration of the Srivijaya and Majapahit empires.

Srijivaya and Majapahit were earlier recalled by Sukarno in his famous Pantja Sila Speech of June 1, 1945, but up to the time of formal declaration of Indonesia independence in August, 1945, no claim was made to East Timor, and any aspirations for its incorporation were expressly disavowed by Indonesia in the 1950's and 60's.

It must also be recalled that no claim based solely on geographic contiguity has ever been given the slightest countenance by the United Nations.

Scholarly writings discussing the ancient Indonesian empires support at best a tenuous tributary relationship between Timor and the Majapahit Empire. Clark also notes that the heart of the Indonesian Republic is Java and Sumatra, and the Timorese probably have more in common with the Melanesians of Papua New Guinea in terms of racial characteristics and language than they do with Javanese and Sumatrans.

Following the ethnic argument, the Indonesian territory may well extend to a substantial part of the Luzon archipelago at which some scholars posit as having been part, too, of the expanse of the Srivijaya and Majapahit empires.

Let it, suffice to say, however, that incorporation on the basis of the ethnic argument is at best spacious especially if considered in the light of Indonesia's prior action at recognizing the right of the East Timorese to self-determination before the United Nations and prior denials of intent to claim East Timor as its rightful territory.

## Integration Without Prior Consultation

Arguments have been put forth that reintegration without prior consultation can be justified under paragraphs 6 of G.A. Res. 1514 (XV) which provides that "Any attempt aimed at the partial disruption of the national integrity of a country is incompatible with the purpose and principles on the Charter of the United Nations."

Perhaps, this can be entertained if a sovereign nation has a well-established historical claim to a territory. A more favored construction consistent with the principle of self-determination would be that it denies a non-self governing territory of an independent country the right to secession. Indonesia's claim to East Timor is frail under this provision especially in the context of its weak historical claim to East Timor with no convincing proof that the latter ever formed an integral part of a pre-colonial Indonesian empire.

## Economic Nonviability

Resolution 1514 (XV) does not welcome any indication that lack of economic viability is just ground for delaying independence of a non-self governing territory. Paragraph three thereof specifically provides that "inadequacy of political, economic, social and educational preparedness should never serve as a pretext for delaying independence." Acknowledging the dire economic situation of the territory, it must also be noted that in a 1975 U.N. report, the area is described as rich in natural resources with which to build a viable economy. On these considerations, East Timor's economic condition is, again, a frail argument to justify incorporation and to deny its people the right to determine and choose their political status.

### Right Against Aggression

The United Nations General Assembly strongly deplored the invasion of December 12, 1975, called for Jakarta's armed forces to be withdrawn, and reaffirmed the people's right to self-determination and independence[8]. In this resolution, the General Assembly referred specifically to Article 2, paragraph 4 of the United Nations Charter, which provides that:

> "states should...refrain in their international relations from the threat or use of force against the territorial integrity or national independence of any state or in any other manner inconsistent with the purpose of the United Nations."

Article I of said Charter also provides that as among the purposes of the U.N. is:

> "to take effective collective measures... for the suppression of acts of aggression or other breaches of the peace"

so as to maintain international peace and security. No one can ably dispute that Indonesia used force against East Timor, and that use of force was against another territorial entity, thereby characterizing the matter as beyond Indonesia's domestic jurisdiction.

The argument that East Timor was, then, not a "state" precariously narrows the construction of the term especially in the context of the overall aims and purposed of the United Nations Charter. The fact that the term "state" was used, and not "member" or "nation" justifiably suggests that a more comprehensive interpretation was intended to include even territorial entities such as East Timor.

Even assuming that East Timor was not a state, Indonesia's invasion runs counter to Articles 1 and 2 of the United Nations Charter which prohibit all acts of aggression and other breaches of the peace, or the threat of use of force in any manner inconsistent with the purposes of the United Nations. It must be noted that the United Nations' purposes encompass developing friendly relations among nations based on respect for the principle of equal rights and self-determination of all peoples. Again, these provisions do not restrict their applicability only to states.

Indonesia has justified its invasion on four grounds; self-defense, invitation by the East Timorese, future stability if Indonesia and Southeast Asia, and humanitarian purposes.

Again, on the basis of earlier actions of the United Nations condemning the Indonesian invasion and calling for withdrawal of armed forces from the area, as well as verifiable data on alleged incursions of armed East Timorese bands into Indonesian territory, there is cause to doubt the basis of any assertion of self-defense. More so, considering the absence of "armed capability" of the East Timorese to pose a threat to Indonesian national security of stability. The extension of the East Timor threat justifying self-defense to the arena of Southeast Asian stability is, sadly, frail unless it is seen in the context of straining relations between Southeast Asian nations and Indonesia because of disparities in sympathies to the portion that skirmishes between the Indonesian and Philippine governments on the holding of the APCET in the Philippines, which, undoubtedly has caused tension or irritation in Indon-Philippine relations.

The humanitarian justification is sadly, ironic, as there has not been any instance where aggression against peoples and territories served humanitarian ends. The depth and extent of allegations of human rights violations belie the validity of this argument, especially as of late, the Indonesian

Government has taken pains to create mechanisms with which to address allegations of human right violation in the country.

## Human Rights

International covenants and customary law uphold the legal and moral duty of all nations to keep sacred the arena of human rights. I am not in a position to discuss the human rights situation in East Timor, except perhaps to state my awareness of allegations on instances where there have been gross and systematic violation of the East Timorese people's right to life, liberty and property, as well as their fundamental rights to freedom of expression and assembly.

There is a wealth of United Nations Conventions, covenants, resolutions and other initiatives which would allow national and international actions for the protection of human rights of all peoples of the world.

. But more than the existence of all these laws and conventions assented to by the international community, the bigger concern is the existence of viable and workable mechanisms with which these can all be enforced, and compliance by nations and states be assured beyond the realm of self-serving rhetorics.

On a more realistic plane, while I do not discount the efficacy and effectivity of mechanisms within the international community to ensure compliance, the arena of war for the protection of human rights remains principally within the socio-political systems of every individual member nation of the United Nations. This would include the existence of working and efficient judicial and law-enforcement institutions, ably supported by governmental policies on human rights protection , to ensure the citizen's redress of their grievances and protection of their rights

I did not focus principally on the human rights aspect of the East Timor issue, principally because of my conviction that this is subsumed under the more fundamental issues of self-determination and non-aggression. Moreover, to view the East Timor situation as primarily a human rights concern, may bring us to the threshold of disregarding the principles of self-determination and non-aggression where easing or resolving human rights issues may substitute for more determined action on the more fundamental issues of making an informed judgement on the invasion and incorporation of East Timor into Indonesian territory.

## Conclusion

The basic concern is not whether the people of East Timor are entitled to the right of self-determination or whether they have exercised it. They had and still have the right, by universal agreement and international law.

The right to self-determination, coupled with the right against aggression, are indubitably the most important of all human rights. As aptly echoed in the Covenant on Civil and Political Rights, the effective exercise of a people's rights to self-determination is an essential condition for the genuine existence of the other human rights and freedoms.

The lack of mechanisms for assertion of this right may well have encouraged some states to flout it with impunity, and given courage to victimized states and peoples to resort to armed struggle. From this vantage point, this right becomes the gridlock of genuine international peace and security.

The assertion of national interest by nations to justify their frail compliance or fidelity to the preservation of this right requires our imperative attention. Nations and governments have found it convenient to invoke the national interest to close their eyes to the violation of the right of other peoples and states to self-determination.

Geopolitical realities specifically in the complexity of increasing interdependence among nations preclude us from making unfavorable conclusions on the wisdom of the national interest argument.

Let it suffice to say, in conclusion, however, that beyond the legal issues and our commitments to international legal duties and norms -- each of us must face up with an irrevocable moral issue -- what is good and just and right for all peoples, and not only for ourselves as individuals and as citizens of separate nations.

In the final analysis, individual conscience from which national conscience and spirits are borne will tell us that, indeed, nothing can ever justify the crime of robbing other people of their birthright to freedom and to determine their own destinies in the manner and through paths they alone have the right to choose.

**Thank you and good day.**

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[1] See Declaration On the Granting of Independence to Colonial Countries and Peoples, G.A. Res. 1541 (XV); Declaration On Principles of International Law Concerning Friendly Relations and Cooperation Among States In Accordance with he Charter of the U.N., G.A. Res. 2625; Chef, "Self-determination as a Human Right", Toward World Order and Human Dignity, 198, 1976.

[2] See Refs. above.

[3] Decolonisation No. 7: Issue on East Timor, UN Department of Political Affairs, Trusteeship and Decolonisation, August, 1976.

[4] Article 1, International Covenant on Civil and Political Rights, December 16, 1966.

[5] UN G.A. Res. 1541, Dec. 15, 1960.

[6] Culled from Roger S. Clark's "The Decolonisation of East Timor and the United Nations Norm On Self-determination and Aggression", The Yale Journal of Public Order, Vol. 7, No. 1, 1980.

[7] Indonesia Department of Information, Process of Decolonisation in East Timor (1976); Nahar, "Some Historical Notes on Timor Island", Indonesian News and Views (Nov. 8, 1975); Indonesian News, Special Issue, East Timor: Debunking the Myths Around a Process of Decolonisation (Remarks by Foreign Minister Ali Alatas, Feb. 20, 1992).

[8] G.A. Res. 3485 (XXX).

**MARCELO B. FERNAN**, *was the ormer Chief Justice of the Philippine Supreme Court. He is now the president of Law Asia Human rights Standing Committee*

### Keynote Speech 3

# What Needs to be Said, will be Said, Here or Elsewhere

**Madame Danielle Mitterand**

AT the time of writing, I do not know if the Conference in Manila will be authorized or not.

What needs to be said, will be said, here or elsewhere.

As representatives of NGOs meeting in Manila, we speak for all those who are still capable of indignant reaction in the face of oppression and violence. All violence, including that which a government inflicts on the indigenous population of a country it has invaded.

We come from all over the world, but mainly from the ASEAN region, and we bear witness to the oppression under which the people of East Timor are suffering. We want to awaken the consciences of those who have power, or can exert political influence in favor of a peace process.

For a number of years, in France and in Europe, many initiatives have been taken by humanitarian and civil rights associations, including FRANCE-LIBERTES.

Never before, however, had we been subjected to such pressure on the part of the Indonesian authorities, who probably, considered our activities to be too far away to be more than futile agitation.

What, then, has happened?

Is it the choice of venue, the Philippines? Or the presence of many associations from ASEAN? Does Indonesia fear that public opinions in neighboring countries might question their respective governments, or put pressure on them to react to the exactions imposed on the people of Timor? What folly has made the authoritarian Indonesian regime to invoke the security of the people of the Philippines in order to pressure this young democracy that has made this conference possible, as an expression of solidarity towards the people of East Timor?

Surely such actions highlight the constant oppression exerted by the Indonesian authorities in the whole of the region.

And the most reprehensible methods are used that could well endanger the peace in this region where so many countries are striving to emerge from obscurantism.

Does Jakarta fear that solidarity for East Timor might spread? Do they fear to such a degree the incontrovertible reports emanating from the NGOs represented here? Or do they fear the calls that have been smothered since 1975 might at last be heard by political leaders in each country of the region?

Do they believe in Jakarta that they can continue indefinitely using the double talk that was heard in Geneva in the negotiations between Indonesia and Portugal under the aegis of Boutros Ghali when they expressed "good will", and agreed to "meet with the opposition", i.e., the Timor leaders struggling against integration? Such an attitude is totally contradicted by the way they advocate violence.

Are they counting on the lassitude and resignation of the international community?

But one has to keep up with the times.

Nowadays, news travels fast and reports are picked up and passed on: diplomats in Europe and the West can no longer hide behind the "lack of information regarding the domestic situation" and be content with an alibi that justifies laxity with guilt or indifference with dishonour.

The massacre at the Santa Cruz cemetery at Dili and the "integration" techniques are no longer confidential, unknown to most people, thanks to the bravery of the free press.

Now, the voices of the victims - their age ranging from 10 to 25 - are piercing the wall of silence, the bamboo fortresses, and no pressure, from any quarter, will prevent the facts from being known.

The conflict between Indonesia and East Timor cannot be resolved by the violence of the Indonesian army. Only by negotiation can a solution be found.

The Indonesian leaders do not seem to appreciate this, and they continue to practise terror, prohibition, gagging.

And yet, when one voice is silenced, another is ready to pick up the message. Each time a witness disappears, another rises up.

Mankind is accountable to all of us, and every one of us is concerned when a call of distress is heard.,

We shall never forget the 250,000 missing.

That is why we are here today.

If we are capable of speaking out and saying what we know, thereby restoring the essential balance of information, we will mobilize world opinion so that effect be given to the condemnations pronounced by the UN General Assembly and Security Council, the Conference of Unaligned States, the Inter-parliamentary Union, the European Parliament, the ACP/EEC Assembly, the UN Commission on Human Rights, the Council of Europe, the Western European Union, the Senate and Congress of the United States.

For this to happen there must be an international demonstration of political will.

## Is That Too Much To Ask?

Perhaps I should address myself, personally, to the men themselves, not the leaders and politicians, but the real person, who is capable of feeling, of indignation, who can forget, for a moment, economic interests and the complexities of alliances in order to weep with the woman whose son has been murdered, whose husband is missing.

Indonesia is a country that counts. No one denies this. But the Indonesian regime must also respect the elementary human rights that bind us together, and not flout all the conventions that give dignity and honour to the relations among states and peoples.

In closing, I shall quote a man who cannot speak for himself, because he has been arbitrarily thrown into prison, XANANA GUSMAO:

> "In Tibet or in Poland, in the Baltic States or in the South Pacific, in Africa or in the Caribbean, proof has been given that repression can never completely stifle that which represents the profound reason for any people's existence: its self pride, the capacity of preserving everything that gives its identity, freedom to pass all this on to future generations, in other words the right to manage its own future." - (Xanana Gusmao - October 5, 1989)

**Madame Danielle Mitterand** *is the First Lady of France and president of Fondation France-Libertes, an organization involved in human rights concerns. She was supposed to be one of the keynote speakers but she decided not to attend following tremendous pressure from Indonesia. Her message was read by no less than Mrs. Carmen Diokno, widow of one of the Philippines' most respected human rights advocate, the late Senator Jose W. Diokno.*

# The Right of Self-Determination and the Question of East Timor

**Pedro Pinto Leite**

NOWADAYS it seems unnecessary to say that self-determination of peoples is a right. Something more than twenty years ago, however, a statement like this was still denied by many authors. They argued then with a literal interpretation of the Charter of the United Nations (Art. 1, No. 2 and Art. 55) that self-determination was only a principle and not a real right.

From the practice of the United Nations itself, which accompanied the struggle for independence of the European colonies, self-determination became a right. Indonesia has even played an important role in this development not only because of its long struggle against the Dutch Armed Forces (Indonesia was one of the first colonies which has reached independence after the Second World War), but also because of its anti-colonialist position (one can remember for instance Indonesia's organization of the Conference of Bandung and its activities as founded or the Non-Aligned Movement).

The list of territories which wait for the moment to reach independence and to be free of foreign occupation armies (remain). Once Namibia reached independence, East Timor became the second largest territory listed in the United Nations Decolonization Committee and the one with the biggest population. Curiously enough, the decolonization of East Timor up until now is made impossible given the obstruction of the former champion of the right to self-determination, Indonesia.

Timor is the most eastern island of the archipelago of Small Sunda and it is less than 400 miles from the Australian continent. The island is divided into two parts: West Timor, which was part of the Dutch East Indies, presently Indonesian, and East Timor, already for more than 400 years a Portuguese colony. East Timor has a surface of around 19,000 km2, the enclave of Oecussi and the small island Atauro included. It is a mountainous region; in the geography books used by schools in Portugal during Salazar's regime, one could usually read that Mound Ramalau with almost 3,000 meters, was the highest point of Portugal. Its population, according to an extrapolation from the last census which the Portuguese had conducted in 1970 was 610,000 and in 1975, around 650,000.

Almost 98% of those were Timorese; there were further between 11,000 and 14,000 Chinese, around 2,000 Mestizos and the same amount of white (most of them Portuguese citizens and military). The Timorese are divided into 16 different ethno-linguistic groups: some languages are Papuan, and the others, although Austronesian languages like the Malai and Bahasa Indonesian, belong to anotherlinguistic group, the Melanesian group. The Timorese were almost exclusively engaged in agriculture and lived in small villages scattered throughout the territory. That was the reason why Dili, East Timor's capital and main harbor did not surpass 25,000 people.

Although until the 70's, East Timor was considered a poor territory, due mainly to the indifference of the Portuguese colonialist government and due partly to the absence of objective data (nowadays nobody can affirm that anymore). East Timor possesses even many sources of wealth. Several studies in the last 40 years referred to the fertility of the Timorese ground. The Timorese coffee is considered one of the best in the world. The possibility for tourism is well known as well. Everybody knows that under its waters lies one of the richest oil deposits in the world with a total volume of one to six billion barrels (and extra gas reserves of between 13 and 17 billion cubic meters), which can turn East Timor, as has already been suggested, into a second Brunei.

However, in July 1975, before Indonesia invaded East Timor, President Suharto tried to paint the territory as economically non-viable. East Timor would not be entitled to independence because the territory could lack economical possibilities.

But, in line with their anti-colonialist policy, the United Nations have never accepted the criterium of economic non-viability as an obstacle to the right to self-determination of peoples. That derives from the resolutions which have treated the question in theoretical terms and from the practice along the years. In this sense, Resolution 1514 (XV) para. 3 reads:

Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.

East Timor had in 1975 a bigger population than 30 current states, that is to say, more than 1/6 of the state community.

When the UN General Assembly voted the last resolution on East Timor in 1982, 1/5 of the UN members had as well a smaller population. That is the case, for instance, of Bahrain, Botswana, Cyprus, Equitarial Guinea, Gabon, Iceland, Luxembourg and Suriname. It is thus not because of the number of its population that East Timor can be considered as non-viable.

East Timor cannot be considered as non-viable because of its territorial size either. Around one sixth of the present states has a smaller surface than East Timor. That is, for instance, the case of Bahamas, Fiji, Gambia, Jamaica, Lebanon, Qatar, Singapore and Swaziland.

It is ironical but Indonesia enjoys a huge material profit from that territory which they consider as non-viable. Thanks to the colonialist trade monopoly of coffee in East Timor, P.T. Denok, a company run by Indonesian generals, got yearly profits of manymillion dollars.

After some years of conflict on the maritime boundaries, Indonesia finally signed on 11 December 1990 a treaty with Australia on the common exploitation of oil and gas in the so-called Timor Gap. Members of the Australian Government are even proud to have signed that treaty which opened the door to the largest oil field to which Australia had access.

Even if one would accept the criterion of economic non-viability as a factor preventing the independence of a colonial territory (which it is not the case) nothing suggests that East Timor can be considered as non-viable. On the contrary, everything indicates that the actual and potential resources of East Timor were one of the most important motives which have lead to the occupation and annexation of East Timor.

As known, Salazar resisted any pressure from the international community to allow the independence of the Portuguese colonies. The colonial war in Angola, Ginuea-Bisseau and Mozambique began in the early 60's. Marcelo Caetano, when in 1968 succeeded to Salazar, has still tried, in a very inconsistent way, a constitutional solution whereby the names changed. Timor, just like the other colonies, because referred to as "autonomous region of the Portuguese Republic". In 1974, exhausted by the colonial wars and the dissatisfaction amid its own armed forces, the regime of Salazar and Caetano fell.

With the fall of the dictatorship in Portugal, the activity of political parties became possible in East Timor. The first to be constituted was the "Unitas Democratica de Timor" (UDT, or Democratic Union of East Timor), which initially proposed the keeping of ties with Portugal, in a federal basis. After General Spinola lost much of his power in Portugal, UDT would gradually change its program to the acceptance of the idea of independence, with a transitional period of three to five years. The second party was the "Associacao Social Democrata Timorese" (ASDT, or Timorese Social Development Association) which inspired by the African liberation movement, urged the independence of the territory, abolition of the colonialism and of racial discrimination. Later ASDT would change into Fretilin ("Frente Revolucionaria de Timor Leste Independente"). The third political party to be formed was the "Associacao Popular Democratica de Timor" (Apodeti, or Democratic Peoples Association of Timor) which defended the integration with Indonesia.

UDT, supported by highly placed civil servants, Chinese merchants and the local Portuguese community, seemed firstly to be the strongest party. In the beginning of 1975, however, Fretilin which was supported by intellectual, teachers, students, low civil servants and migrants in Dili, was already considered by independent observers as the most important and the mostinfluential political organization. Apodeti, which was supported by a very small number of people, could only maintain itself, thanks to the assistance of Indonesia.

In January, 1975, UDT and Fretilin formed a coalition, based on the principle of independence. The two parties have agreed to negotiate with Portugal the formation of a transitional government under the UN supervision.

Jakarta, which said until a certain moment to accept the idea of independence for East Timor and which always had stated to have no territorial ambitions concerning the territory, has quickly undertaken its intention to annex the territory. When the Indonesian government understood that Apodeti had no support among the population, decided to win the sympathy of UDT and succeeded in leading this one to break the coalition with Fretilin. Meanwhile, Jakarta has exerted great pressure to Lisbon not to take any measures (namely, the internationalization of the question) which could impair its expansionist policy.

In a political crisis with quickly succeeding governments, Lisbon could not or did not want to resist Indonesia. When a short civil war broke out, after an unsuccessful coup of UDT in August 1975, the Portuguese governor left Dili to Atauro following the instructions from Lisbon.

Fretilin succeeded in restoring order in the territory and in assuring the population of meeting their essential needs. A part of the cadres of UDT and Apodeti escaped to West Timor. Fretilin, under the menace of an Indonesian intervention, kept on asking the Portuguese authorities with no success to come back to Dili and resume the process of decolonization.

Under these circumstances, only in the end of November Fretilin decided to declare the independence of the Democratic Republic of East Timor. On 7 December, less than 12 hours after the departure from Jakarta of the American President Ford and Secretary of State Henry Kissinger, who had visited Indonesia, East Timor was invaded by the Indonesian Armed Forces. Fretilin retreated to the mountains and started a liberation struggle which still goes on today, eighteen years later.

Before the invasion of the territory, the Indonesian authorities had begun a campaign on the presumed historical and cultural ties between East Timor and Indonesia. The aim was clear: those ties would be used as an argument to justify the invasion.

Some countries, sensible for questions related to national unity and territorial integrity, even believed that Indonesian territorial integrity was at stake: they have thus decided to support a so-called reintegration of East Timor and gave priority to such "reintegration" above the right to self-determination ofits people.

Those presumed ties were however nothing more than rewriting history. Indonesia cannot prove any historical ties of territorial sovereignty with the territory. Timor has, in fact, never been politically submitted to any of the Empires, Kingdoms and Sultanates which developed from some of the islands that nowadays are part of Indonesia. East Timor did not belong to the Dutch East Indies either. Furthermore, East Timor has nothing to do with the Javanese culture, nor with the Indonesian language, nor with the islamic religion: the visible cultural affinities are only with islands of eastern Indonesia (they themselves unrelated to Java). The lingua franca of East Timor, Tetun, and other Austronesian languages belong to another group than Bahasa Indonesia (the Melanesian group) and all the remaining languages are Papuas. The Catholicism and the animism are in fact the only practiced religions (the growth of the number of Catholics is even a clear manifestation of the cultural resistance against the occupant).

The question of East Timor is thus of another kind than those where the principle of territorial integrity has been successfully invoked. That is the reason why Indonesia, contrary to the case of India in relation to Goa, China in relation to Macao, Argentina in relation to the Malvinas or Spain in relation to Gibraltar, had never until 1975 set a claim on East Timor.

Jakarta has answered the independence declaration of the Democratic Republic of East Timor with the aimed invasion of the territory. None of the justifications advanced by the Indonesian government for these crimes is valid. Contrary to what Jakarta affirmed, the invasion troops were not Timorese troops assessed by "invited" Indonesian "volunteers". Very sophisticated means were used in the invasion: marine vessels, airplanes, parachutes... Later, the "right to self-defense" against a supposed Fretilin attack to Indonesian territory was adduced as argument. But several documents proved that the preparations for the invasion had begun long ago before. Finally, exaggerating expressly the number of refugees in West Timor and lying on the situation in East Timor, the Indonesian government has shamelessly presented the invasion as an "humanitarian intervention". But the number of victims after such intervention was raised in a short time to 100,000; how possibly can one call it "humanitarian"?

In spite of the declaration of independence of the DIET, the United Nations, just like Portugal had earlier done, kept on considering the territory as a non-self-governing territory. In any case, independent State or a mere colony, East Timor became (and it is still) the victim of an act of aggression.

The invasion and occupation of East Timor by Indonesia constituted a violation of the Charter of the United Nations (namely of its article 2, para. 4:

They constituted an act of aggression in the meaning of the "Definition of aggression", and as such, an international crime against peace

They also constituted a clear violation of the right of the East Timorese to self-determination and independence. As Hector Espiell, in his renowned study right to self-determination rightly concludes:

> "(...) foreign occupation of a territory - an act condemned by modern international law and incapable of producing valid legal effects or of affecting the right to self-determination of the peoples whose territory has been occupied - constitutes an absolute violation of the right to self-determination" (page6).

Moreover, the Indonesian government is guilty of disobedience to the United Nations by defying the order of the UN Security Council to withdraw its troops.

To camouflage the annexation, Jakarta took a series of measures. Shortly after the invasion, a puppet-government was installed in Dili. That government affirmed that a referendum was not necessary in East Timor and asked for East Timor to be integrated into the territory of Indonesia.

Afterwards Indonesia installed an obscure 'representative people's assembly of East Timor' to give a democratic image to the integration. At that moment, nobody knew how the membership of the assembly was constructed. Later, one of these so called representatives explained how he was selected: he was walking along one of the streets of Dili and was suddenly pulled into a military jeep, an Indonesian officer told him that he was going to be one of the representatives and therefore brought to the meeting where he was expected to vote in favor of integration. And indeed, this 'representative peoples assembly' voted within less than two hours of pseudo-discussion, unanimous in favor of integration. On July 17 1976 President Suharto adopted a law in relation to East Timor and officially annexed East Timor as 27th province of Indonesia.

The international community didn't accept this farce; neither the interim government nor the 'peoples assembly' were recognized at that time. All UN bodies invited to observe the process refused to do so. Out of the long list of countries invited to be present at the meeting of the 'peoples assembly' only a few went (the only observers report made public criticized only the speed of the meeting and the lack of consideration for possibilities other than integration into Indonesia). The few foreign journalists present that time wondered why they weren't allowed to leave the meeting venue....But according to the Indonesian government the right of self-determination of the East Timorese was exercised.

The Indonesian government complains about the fact that it was misunderstood by the world. Its protests cannot hide the facts: it was Indonesia that prevented in East Timor the creation of the necessary conditions, according to International Law, resolution 1541 (XV), there should first be the act of self-determination from which integration can be one of the possible results. The first condition is the existence of 'free political institutions'; in East Timor this was missing because of the occupation. The 'peoples assembly' also didn't meet the condition of an 'advanced stage of self-government'. The wishes of the territory's peoples should have been expressed through informed and democratic processes, impartially conducted and based on universal adult suffrage. The Indonesian annexation violated this right. An even more bigger crime, a crime against humanity, was the genocide that followed. The destruction of the Timorese culture both proves and follows this.

The Santa Cruz massacre in November 1991 was one of the many massacres within the now 18 years of Indonesian occupation. It was not an isolated incident like Jakarta presented it be. When we divided the amount of people killed in East Timor ( which according to Amnesty International was more than 200.000) by the amount of days East Timor has been occupied, then there has been this kind of 'incident' every three or four days.

As you probably know, the UN in cooperation with the OAE, will organize a referendum on the Western Sahara. The question of the Western Sahara is almost identical to the situation of East Timor. Let's hope, now that the Kuwait problem is solved, that the UN will recognize the necessity to find a solution for East Timor.

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# ASIAN PERSPECTIVES ON SOLIDARITY FOR EAST TIMOR

**Yong Whan-Cho**

BEFORE talking about our perspectives on solidarity for East Timor, I cannot but start with the story of my own country. Korea underwent one of the worst forms of colonial domination in the not-so-distant past. Just at the time of emerging from suzerain domination by China, my country was invaded and colonized by Japan which was equipped with advanced weapons. Our people fell into slavery. What this meant in those times was there was no right to object to whatever cruelties were inflicted. Participation in the independence movement led to torture and death in addition to the endless pursuit and persecution of whole families. Representatives of the people who sought support of other countries had to become endless wanderers abroad and were often unwelcome visitors. Many powerful countries which preached the gospel of humanism were busy securing secret treaties with Japan. They thereby succeeded in grasping rights and privileges by selling the right to self-determination of the Korean people to Japan.

In this context, I must confess my shame to the East Timorese who are in almost the same situation as we were in the past. Korean people are morally obliged to stand in solidarity with the East Timorese because we share the experience of foreign occupation. Our people, who are proud of their riches, forget their past sufferings. I am ashamed that my country has indulged only in self-development and has been indifferent to the anguish of other people such as the East Timorese.

Many peoples in Asia and the Pacific, including Koreans, similarly underwent unspeakable hardships from colonial domination or foreign occupation. From these experiences they keenly realize that foreign occupation automatically means total negation of human dignity and leads to the enslavement of whole people of one nation by another.

The state of enslavement in which all human rights are negated should be differentiated from the state of human rights infringement. When certain human rights are infringed, we can recover the victim's dignity by guaranteeing the violated rights. However, when a person is enslaved, every effort to protect the victim's human rights, civil, political, economic, social and cultural, means nothing without liberation from slavery. Without liberation and guaranteeing the right to self-determination, they are still slaves and human dignity is negated. Whatever rich food, luxurious clothing and comfortable housing one enjoys, it will be a contempt of dignity, without liberation. Without liberation, a slave will never become a human being.

We all know that the right to self-determination is not apanacea. It will not automatically solve the many problems that will surface after liberation. However, this right is a key towards the transformation of a slave into a human being. This right is a starting point of coping up with every problem. Without guaranteeing the right to self-determination, human development in its true sense cannot start.

No law can justify enslavement. The "law and order" imposed by the aggressor to the occupied people is not the law and order in its genuine meaning but the farce of a slave hunter. Any claims to justify foreign occupation or to support the aggressor are without grounds. Governing policies such as preventing the spread of different thoughts, setting friendly relations with a strong neighboring state, securing a market or economic interest from an oil field in a continental shelf, etc., cannot justify deprivation of other people's right to self-determination. Invasion and occupation of another country and people is nothing but a typical form of war crimes and crimes against

What is
to be
done?

humanity. Conniving at the atrocities practiced in support of the invader is, at best, merely a conspiracy of crimes against humanity.

In this context, all the nations and peoples have their own duty in solving this unjustifiable situation. Those who experienced colonization in the past and became independent are obliged to support other people and countries should rather make a greater effort to get rid of colonialism. By the same token, the country which, having experienced colonization, is now invading, occupying and colonizing its neighboring countries and peoples must be criticized much more strongly. This country commits more than the deprivation of whole human rights of the victimized people. It denies its people's past struggles and thereby negates their human dignity.

The first and most important lesson we have learned from the history of World War II is that any form of colonial or foreign domination, without exception, poses serious threats to the peace of the world and to the human rights of whole human beings. We also learned that such a serious threat to peace and human dignity can be overcome only by the strenuous struggle of the oppressed together with the support and solidarity of the peace-loving peoples of the world. Therefore, we believe that we have the moral duty to work together to oppose and fight against colonial domination and foreign occupation in every circumstance and with all our eforts. Our unified voices will contribute to the brighter future of world peace and human rights. As a member of this global community, I feel deep sorrow and anger about the Indonesian occupation of East Timor. I am angry at the crime of greed against the peace and human rights of the world. It is also lamentable that the Indonesian government with continued colonialism degrades the human dignity of its own people, by making them slave masters.

I would like to finish my address with the Korean people's greetings of encouragement and solidarity to the East Timorese poeple. We firmly believe that you will not discontinue your struggle against the Indonesian invasion in spite ofindescribable adversity, because you all know that acceptance of enslavement means abandonment of your human dignity. Your struggle is not yours alone. Dear East Timorese people, you are exploring a new dimension of the world history. With your determined struggle, you are awakening the conscience of the whole world including the Indonesians. You are contributing to the establishment of a world community where the human dignity, of all human beings is guaranteed. The darker the night, the brighter the dawn. On with the struggle.

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# An Analysis of the Human Rights Situation in East Timor: An Asian View

Atty. Cecilia E. Jimenez

**EAST TIMOR**: Born out of negligent colonialism under Portugal, crunched under the brutal occupation of Japan, and now, constantly whipped and violated by the ruthless regime of Indonesia. The history of East Timor, it seems, is one historical saga of human rights violations after another. This unfortunate saga, blighting the dignity of our humanity, is stil the reality.

Just consider the indisputable facts of genocidal levels of human rights violations in East Timor:

- one third of the original population dead, thousands and thousands of them extrajudicially executed (e.g. 1991 Santa Cruz, Dili massacre)
- thousands arbitrarily arrested, hundreds of them "disappeared" and remain unaccounted for, and scores illegally detained without charges and others unfairly sentenced and detained to long prison sentences
- torture and cruel and degrading, inhumane treatment remain a prevalent practice in interrogation and detention conditions; incommunicado detention is usual in detention centers
- tight control over the daily lives of the East Timorese, including the curtailment of the rights of free expression, assembly and association as well as freedom of movement
- the absence of the basics of the rule of law, including the right to a fair trial, access to legal counsel, presumption of innocence, an impartial and independent judiciary (e.g. Xanana Gusmao)
- thousands and thousands displaced from their residences and hamletted; a considerable number have been forced to seek refuge and political asylum outside of East Timor
- children deprived of education, adults denied their means of livelihood, a people stripped of their cultural identity, and other violations of economic, social and cultural rights.

One of the least cases, documented by Amnesty International last week and for which our urgent action is needed, is the case of the arbitrary detention of eleven youths, with the fear of torture. They are known to us, but they bear names that are familiar to us: Jose, Antonio, Actaviano, Pedro, Miguel, Rosalino, Marcos, Lucas ..... Just imagine the possible horrors that they could be undergoing right now.

The victims are people like you and mine: freedom-loving people struggling against a repressive regime, working for the rule of law and democracy, justice and human rights. They come from the ranks of the peasants, fisherfolk, workers, shopkeepers, intellectuals and professionals, churchpeople, indigenous peoples; they include children, women and youth.

The perpetrators: the military forces and agents of the state of Indonesia. The brutality of the human rights violations in East Timor is further compounded by the problem of impunity that denies justice to the victims and encourages the commission of more human rights violations. The prosecution and conviction of the perpetrators remain the exception rather than the rule. A case in point is the so-called punishment of perpetrators of the Santa Cruz, Dili massacre: despite clear documentation of at least 100 deaths, with up to two hundred more feared dead or "disappeared", military officials involved in the commission of the massacre and subsequent torture were meted with light prison sentences of between eight and eighteen months.

On the other hand, East Timorese arrested participating in the demonstration were sentenced to up to ten years of imprisonment. Conviction of alleged political criminals in East Timor is a foregone conclusion.

Indeed, the list of human rights violations in East Timor is by no means complete. One can go on and on with a litany of human rights violations. For each provision of the Universal Declaration of Human Rights, an empirical case of its violation can easily be found in the case of the East Timorese. For each violation, the Indonesian government violates its obligations under international customary law that has evolved on the respect of human rights.

## The Legal and Political Context

With the invasion and illegal occupation of East Timor by Indonesian forces, the peoples of East Timor have been subjected to the Indonesian counter-insurgency program and the so-called "security approach" of the Indonesian government. The counter-insurgency program and the so-called "security approach" are by no means exclusive to East Timor. The 25-year old New Order of the Indonesian regime, established in the 1960s with the brutality of the massacre of thousands of Sukarno supporters and suspected dissidents, mandates the intolerance of political rights of alleged political opponents and former political prisoners.

"National Security" remains by the-word in the restriction of the exercise of fundamental freedoms and human rights all over Indonesia. The pronouncement of the official ideology, Pancasila, controls the flow of ideas and conduct of public debates; a basic feature in the imposition of Pancasila on the general populace is the government warning against "foreign ideologies," such as communism, liberalism and human rights, as threats to national security.

Thus, while East Timor stands out as a situation of intense human rights repression by the Indonesian government, a deliberately-perpetrated pattern of human rights violations occurs in the territories of Aceh and Irian Jaya, also being claimed by Indonesia. Moreover, this pattern occurs on Indonesian dissidents and activists, alleged political opponents, former political prisoners and their families. These victims include a significant number of Islamic activists because of the Indonesian government's religious intolerance and restrictions on religious freedom and association.

The mission of the Indonesian government, in the face of both peaceful and armed opposition to its rule, is the employment of practically any measure - including the prevalent practice of human rights violations - in the interest of maintaining national security and destroying what it terms as "Security Disruptors Movements." It is the logic of national security which is used to justify these violations.

Thus, despite a liberally-worded Indonesian constitution, a Code of Criminal Procedure and the recent setting up of a Human Rights Commission, human rights violations are the actual practice. Indonesian legal norms pertaining to crimes against national security and public carry stiff penalties. A 1963 Presidential Decree which is now the Anti-Subversion Law, carries a maximum penalty of death. A new

Criminal Code that contains a wide range of political crimes is in the making.

### Responses at the International Level

At the same time that the United Nations has refused to recognize the legitimacy and legality of the annexation of East Timor by Indonesia, the United Nations has also corroborated the findings of human rights organizations on the existence of a deliberate pattern of human rights violations in East Timor.

Because of the growing international pressure, a few United Nations missions to East Timor have been received by the Indonesian government. The 1991 visit of the UN Commission on Human Rights Special Rapporteur on Torture, whose visit coincided with the Dili massacre, resulted to several UN recommendations that today remain generally unimplemented. In 1992, a mission of a personal envoy of the UN Secretary-General sought to clarify the circumstance of the Dili massacre and resulted to the removal of some officers from their posts. By the end of 1992, the International Committee of the Red Cross had been given access to most categories of political prisoners, although not to prisoners where national security are deemed at stake.

In 1992, 1993 and 1994, the United Nations Commission on Human Rights condemned the grave human rights violations occuring in East Timor and recommended several measures for the Indonesian Government. Although a member of the UN Commission on Human Rights since 1991, the Indonesian government has refused to recognize the recommendations contained in these resolutions and statements.

While limited access to East Timor by journalists has been given, human rights monitoring remain quite restricted and impeded by the Indonesian government. Government and military authorities deeply suspect any indication of monitoring of the East Timor situation: local human rights monitors face enormous risks in their work and international non-governmental organizations such as Amnesty International and Human Rights Watch, considered as potential security threats, have been consistently barred from East Timor.

In order that the human rights situation in East Timor can be improved, there is a need for the Indonesian government to heed and concretely implement the recommendations already given by the Un Special Rapporteur on Torture, the personal envoy of the UN Commission on Human Rights. Moreover, it is inevitable that the Indonesian government face up to the recommendations of the UN Decolonization Committee and the UN General Assembly, with respect to the political status of East Timor. Needless to say, international, Asian and local human rights organizations will continue their work to support the struggle for human rights in Eas`t Timor.

### The Dichotomy between Indonesian Government Pronouncements and Practice and the Evolving ASEAN Philosophy on Human Rights

The Indonesian government is presently under intense international attention with regard to its human rights violations in East Timor. Since it commenced its membership in the UN Commission on Human Rights, it has reaffirmed its commitment to human rights. In compliance with one of the recommendations of the United Nations, it has set up its own, though highly questionable, Commission on Human Rights. It has permitted the limited and monitored holding of human rights seminars and access by journalists and human rights monitors.

Despite these few positive initiatives, it is clear that the protection and promotion of human rights are merely empty pronouncements by the Indonesian government. There is no indication that the Indonesian government will ratify the international Covenant on Civil and political Rights and other human rights instruments in order to legally bind itself to international human rights obligations. There have been no concrete measures to remedy past human rights violations, nor has there been a demonstration of any political will to change government attitude with regard to the daily and concrete protection and promotion of the human rights of the people in East Timor. Such a political will is also absent in the genuine transformation of a repressive regime to a democratic institution: the philosophy and structures that engender human rights violations in East Timor and Indonesia remain intact; the political and economic interests remain protected by the state itself.

At this point, it is important to reflect that there also exists a dichotomy with regard to the pronouncements of several countries, most of them Western, vis-a-vis the situation of East Timor: while these countries display a concern for the continued grave human rights violations in East Timor, they continue to support the government of Indonesia in terms of political and economic treaties, arms trade and foreign investment. These countries are no less guilty in supplying the Indonesian government with the political, economic and military means to perpetuate their illegal occupation and human rights violations in East Timor. Political and economic interests, it seems, remain paramount over the lives of hundreds of thousands of victims of human rights violations.

An evolving ASEAN "human rights philosophy" on the part of the ASEAN governments is another issue that promises to be volatile in the time to come. The holding of the World Conference on Human Rights last year, with its attendant preparatory process, clearly underline the growing role of Indonesia in this discussion. Indonesia, as the present chair of the Non-Aligned Movement, has been using its clout to impose on the ASEAN, as well as on the rest of Asia, its interpretation of the concept of human rights.

While mouthing that human rights are universal, the governments of Indonesia, Singapore and Malaysia insist on the concept of cultural relativism in the implementation of human rights. The theory of cultural relativism emphasizes the prevalence of cultural and historical variants as bases for the deviation from the universality of human rights. Moreover, these same countries, while again maintaining the indivisibility of human rights and the interdependence of civil, political and economic rights, highlight the need to give priority to the rights to development and economic rights, over and above civil and political rights.

The philosophy further underlines the perceived need of the ASEAN governments to interpret the respect of human rights within the framework of international cooperation and the recognition of the traditional of sovereignty, territorial integrity and non-interference.

The combination of the argument for cultural relativism and the framework of international cooperation in the interpretation of the respect for human rights make a powerful theoretical tool to continue repression in the name of national security and further commit human rights violations despite international obligations.

Human Rights NGOs involved in the World Conference battled against this ASEAN human rights philosophy and succeeded in minimizing its impact on the deliberations on the Vienna Declaration of Human Rights. The consensus achieved in the drawing up of the Bangkok NGO declaration on Human Rights was a manifest of the cohesion of human rights NGOs in the region to struggle against the Asian governments unity.

Nevertheless, in the ASEAN deliberations, notably embodied in the Communique of 26th ASEAN Ministerial Meeting in July 1993 and the Kuala Lumpur Declaration of Human Rights by the ASEAN Inter-Parliamentary Organization, the recognition of human rights is undertaken more and more on the basis of this ASEAN human rights philosophy. The forthcoming ASEAN Ministerial Meeting in July 1994, which is expected to formally accept SLORC government in Burma to the ASEAN, expected to be another forum to develop this ASEAN philosophy.

In the struggle to hold this conference, it is this philosophy, which is becoming the basis as well as justification for human rights violations, that is being called upon to stifle the growing international consensus on the situation of East Timor. Unfortunately, the Philippines, despite its pro-human rights pronouncements, revealed itself to be in the league in this philosophy by joining the conspiracy to silence the discussion on East Timor.

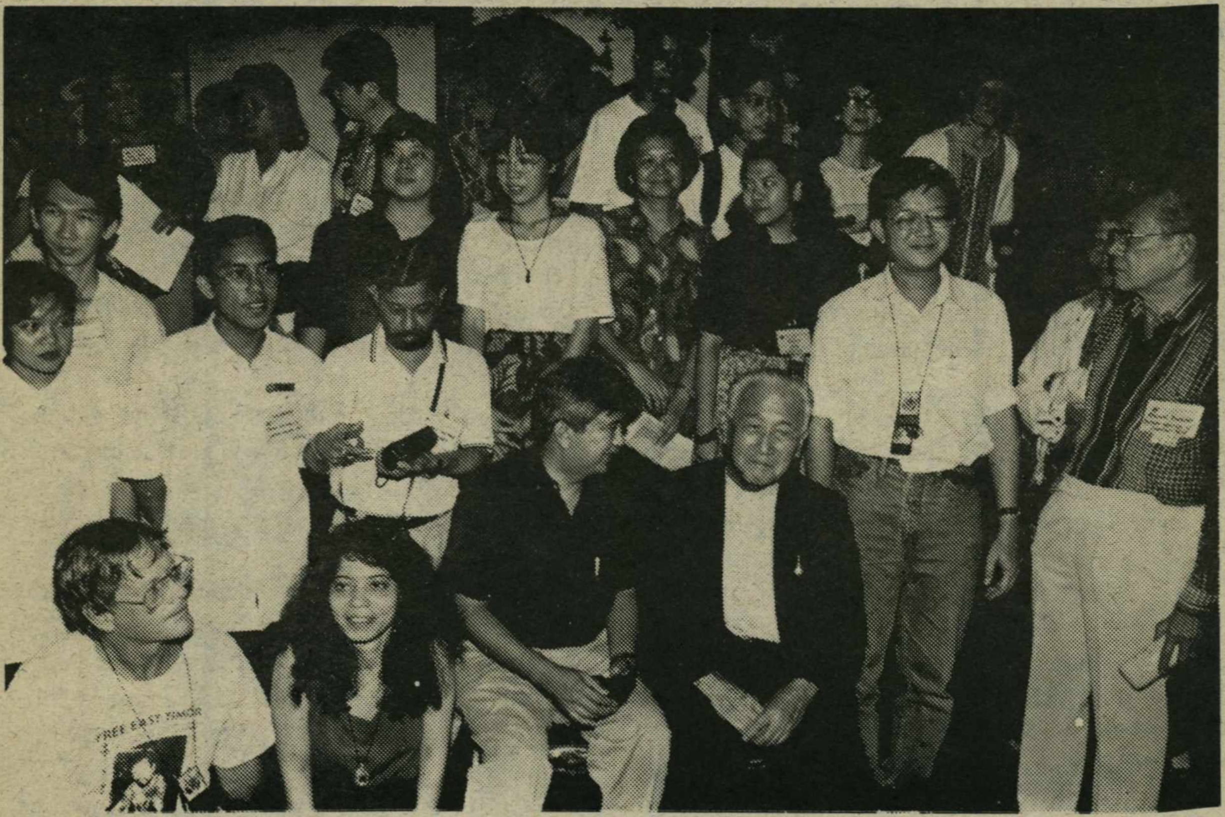
Lastly, it is this philosophy that will contend in the ideological battleground for the universality of human rights.

## Conclusions

In the continuing struggle for the universality of human rights, it is this emerging ASEAN philosophy that is and will still be used to crush an emerging voice from Asia. This voive, which grows louder and louder, says that human rights are not western, they are not foreign ideologies; that we Asians deserve our human rights, too, and that we will fight for our human rights.

Today, one thing is clear: the spirit of the East Timorese emerges bold and daring in their constant struggle for the protection and respect of human rights. Now, the Asian peoples join them in this struggle.

**Atty. Cecilia E. Jimenez,** *lawyer, works as legal and International Affairs Officer of the Philippine Alliance of Human Rights Advocates (PAHRA), an alliance of Philippine NGOs involved in human rights concerns.*



# Excerpts from Speech Video-taped inside East Timor for the Asia Pacific Conference on East Timor

**Nino Konis Santana**

THE people of East Timor, the National Liberation Armed Forces, and the National Council of Maubere Resistance (CNRM), the highest and non-partisan body which leads the resistance of the people of East Timor against Indonesia's occupation, are deeply grateful for this historic event. In the name of everyone, I greet the participants to this international conference on East Timor.

Special greetings to the Indonesian delegation present here representing the people of Indonesia.

Our two peoples have been victims of a war imposed upon us by the Indonesian military regime. I greet with sincere gratitude the people of the Philippines. We share the same colonial experience , our two countries were colonized by the two Iberian power and we are the only two predominantly Catholic countries in the entire Asian region. We are inspired by the struggle of the Filipino people for freedom, democracy and social justice.

Finally, I want to convey our special gratitude to the conference organizers. We thank you with all our heart for your sense of justice and generosity.

## The Legal Basis of our Struggle

East Timor was colonized for almost 500 years by Portugal. The question of East Timor, as a non-self-governing territory has been on the agenda of the UN since the sixties. Our right to self-determination and independence is well established in several United Nations Resolutions.

The invasion of East Timor and the illegal occupation of our country are in breach of international law and in defiance of two United Nations Security Council resolutions.

## Prospects for a Solution to the Problem of East Timor

For the past 18 years, the situation in East Timor has been without a solution. In view of the inability of the United Nations to implement its own resolutions, since 1982, in accordance with General Assembly resolution 37/30, the Secretary General was mandated to mediate the conflict through dialogue with all the parties to this conflict. However the people of East Timor remain on the sidelines of this diplomatic process.

History has its own development dynamic. The dynamics of the histories of conflict in the world point to a dialogue as the most effective means to resolve the differences among countries. Friends and enemies resort to dialogue to resolve their conflicts.

The people of East Timor are aware that any attitude of inflexibility by the extremist will not favor a solution to the problem of East Timor. For this reason our method of struggle is based on moderation and flexibility, based on complete openness for dialogue. However, the Indonesian regime remains defiant, inflexible and arrogant. We remain ready to enter into a process of dialogue without preconditions with a view to exploring every possible solution beneficial to all parties involved.

To overcome the deadlock, the CNRM presented a comprehensive peace plan which offers Indonesia an honorable way out of Timor quagmire. This peace plan articulated by the CNRM Special Representative Jose Ramos-Horta in an address to the European Union in Brussels in April 1992, the Council on Foreign Relations in New York in May 1992 and to the United Nations.

The CNRM is conscious that acting in this manner it is making a serious contribution to the search for a realistic solution acceptable to all parties to the conflict. This peace plan contains all the elements that satisfy the needs and interests of everyone.

We therefore appeal to all participants to the Asia-Pacific Conference on East Timor to support this peace plan by disseminating it everywhere you can, by interesting your government in it. The conflict in East Timor is the result of the denial of our people of our rights to self-determination and it is this right that feeds our people with new energies to continue the struggle against occupation. The people of East Timor believe that if there exists in the world freedom and justice and that only justice and freedom can guarantee peace among peoples then the international community cannot allow Indonesia to continue to violate the Universal Principles of Human Rights and International Law.

Where there is repression there is resistance. People long for peace, nations long for independence, the oppressed long for social justice and freedom. The collapse of the dictatorial governments in the region, the persistent struggle of the Burmese people for freedom and social justice, the struggle of the people of Tibet for independence confirms this truth.

> Where there is repression there is resistance. People long for peace, nations long for independence, the oppressed long for social justice and freedom.

The people of East Timor know that democratization is a process that is born from the concerted action of the oppressed peoples and from all peoples that see democracy as end of slavery. If the freedom of a citizen is the safeguard of human dignity then we have to say that the Timorese are not free citizens in their own country. The people of East Timor hope to build a society based on democracy and where the citizens are conscious of their responsibilities and will defend the democratic institutions.

The people of East Timor recognize the interest of the countries of the region and of Indonesia itself. On the day of independence East Timor will seek membership in ASEAN.

The struggle of the people of East Timor will continue. 1993 was a difficult year for the survival of the resistance. The year that went by witnessed yet another step forward in our struggle. The situation in East Timor remains dramatic, violations of human rights perpetrated by the Indonesian Army are a daily occurence.

To conclude, we call for the immediate and unconditional release of our leader Xanana Gusmao; the participation of the East Timor representatives in the dialogue under the auspices of the United Nations and as a transitional measure, in the impossibility of the direct participation of Xanana Gusmao, Jose Ramos Horta should represent the CNRM in these talks. The CNRM rejects any form of dialogue outside the context of the UN and without the involvement of the administering power, Portugal; declares as null and void any decision taken in any of these meetings without the direct involvement of the fully accredited CNRM representatives; we declare as null and void any initiative by individuals that have not accepted the CNRM; we reafirm the validity in it's entirety of the CNRM peace plan.

**Nino Konis Santana** *is the Head of the Executive Council/Armed Front National Council of Maubere Resistance (CNRM)*

# Let Us Continue the Struggle because the Light is Clearly Visible at the End of the Tunnel

Ines Almeida

I MUST confess that I've never had the opportunity to speak to such a big crowd like this. My experience throughout the period of my activism has been outside the Indonesian Embassay, outside the Australian parliament, on the microphone, screaming out loud "Free Xanana, Free East Timor, Indonesia out of East Timor." So I'll try my best to give you a speech - it's a very simple speech - I hope you will encourage me to do it.

So much has been said and written about East Timor in the Philippines in these last few days that one can be understood if one says: "What more can I add?"

As a Timorese, I must, at the outset, state here how happy I am to be here. Indeed, with the solidarity I have experienced here, there are no words to accurately express how grateful we, as Timorese are. So I do feel so privileged to be here today, and above all, to have had the golden opportunity to speak on behalf of my suffering people. Men, women and children have been killed in these last twenty years without even the chance to make the world hear their cry. We are here, therefore, to make sure that thousands of Timorese women being raped by barbarous men who call themselves soldiers and have been looting my country for the last nineteen years; we are here to echo the voices of those young women and children who have disappeared without a trace; we are here to raise the voices of these oppressed people... and let's do it as we have been doing in the last historical days: raise their voices to the point where no guns can silence them again!

And for that, I do not apologize for using every forum on this planet to make the voice of my people heard; and I will make sure their voices of freedom are heard; I will never allow the walls of dictatorship to silence them. Never!

After all that has been written, it goes without saying that one must struggle continuously using whatever means possible to stop the suffering of my people.

Over these last nineteen years, East Timor has gone through traumatic experiences. From almost a war of extermination, we have risen to the center of the international arena, largely due to the sacrifices of those who chose not to betray, but to give their lives or their individual futures to safeguard the interest of the entire nation.

One of the events which highlighted the question of East Timor in the international arena, was undoubtedly the infamous massacre of Santa Cruz, Novemeber 12, 1991. The blood shed by those courageous Timorese has maintained the focus of East Timor as it never happened before. The tragedy continues, however. As I am speaking to you here, I believe Timorese are being arrested somewhere in East Timor. On the 29 of May, newspapers in Portugal published a report received from the clandestine front in East Timor stating that 10 Timorese were captured and tortured by the Indonesian troops. Their names were given, and the group was accused as having been responsible in the preparation of protests leading to the last May 6 talks in Geneva. According to the document, these were not the only arrests that took place. So, we can expect more bad news soon.

In another camp, Journal de Noticias in Portugal published another news saying that three Timorese were arrested and tortured in Jakarta.

Dr. George Aditjondro, an Indonesian scholar and university lecturer in research methodology, in his interview pertaining to this conference published by the Indonesian magazine, The Editor, said the following:

The foreign ministry (of Indonesia) has recently signed a communique in Geneva (May 6 Talks) saying, that we (Indonesian) are ready to have a dialogue with anti-integration groups. On the other hand, there have been arrests in Java of anti-integration people. The commander of Korem in Dili has said that if the clandestine emerge, "I will crush them." Crushing people is quite different from dialogue, isn't it. This week people were arrested in Malang.These are the words of an Indonesian patriot who is clearly conscious of the need to look seriously into the question of a solution for East Timor.

This is perhaps, the point I will focus on today. There is a Peace Plan devised by the National Council of Maubere Resistance (CNRM). It is a comprehensive plan which envisages several stages through which a gradual withdrawal of Indonesian armed forces and civil servants will be processed, and ultimately, a referendum will be held in order to safeguard the universal rights to self-determination and independence. The entire process is to be held under the auspices of the United Nations, and, where necessary, with the conditions and infrastructures created by the UN itself.

The rationale upon which this Peace Plan was conceived, was precisely based on the fact that we, the Timorese, can not realistically force the Indonesian military to withdraw from East Timor. However, our national leader, Xanana Gusmao himself has stated in the fake trial he was subjected to in Dili last year, that Indonesian must now be prepared to accept that it had lost the political battle in East Timor.

Since then, Xanana's statement was recently supported by the Indonesian armed forces commander in East Timor, Colonel Jonny Lumintang. He said in a recent interview with the Jakarta-based foreign journalists that "it is true that we have not got the sympathy of the people. The problem is not settled." His senior, the regional commander, Major General Adang Ruchiatna, described East Timor "as a pebble in Indonesia's shoes" and added that his armed forces needed more time to "change the mentality of the people" from a climate of fear. (Sydney Morning Herald, 18/4/94)

It is clear that the Indonesian military fear that a referendum will not swing the pendulum to their side. It is a matter of fact that after almost twenty years resisting this barbaric military occupation, few, if any, Timorese will vote for integration if it is to be done through a genuine act of self-determination whereby the people will freely be given the chance to choose their future.

The priority now is to keep on exerting the necessary diplomatic pressure to force Indonesian out of its inflexible stand. Indonesia demands that Portugal rescind its right to claim the status of administrative power, as envisaged under the United Nations Charter. Prior to the last round of talks, May 6, Ali Alatas stated that if Portugal continues to claim this status, Indonesia will walk out of the talks. But he did not! Instead, as Dr. George Aditjondro has said, Alatas signed a communique whereby he agreed to receive a delegation of the Resistance of East Timor. This is so, because the pressure being exerted by all our friends in the broad spectrum of solidarity, has been effective highlighting the illegality and the indefensibility of the occupation of East Timor by the Indonesian regime.

So, to get out of this empasse, the Peace Plan of the CNRM articulates and proposes the following:

Consistent with the enhanced peace-making role of the United Nations, CNRM has advanced a plan to assist the UN Secretary-General's mandate to find a solution to the

East Timor conflict. The plan is congruous with statements by East Timor Catholic Church leader Bishop Belo, and consistent with current UN and Portuguese approaches. The plan has also received support in the US Congress, Europe, Canada and Japan. Indonesia's friends have been able to perceive its value as a potential means of assisting Jakarta to conveniently. extricate itself from its East Timor quagmire.

Phase One (one to two years): Indonesia-Portugal talks under the auspices of the UN Secretary-General with East Timorese participation, to achieve an end to armed activities in East Timor; release of political prisoners; reduction of Indonesian military personnel; removal of armaments; expansion of the International Committee of the Red Cross' activities; reduction of Indonesian civil servants; population census; access by UN specialized Agencies for the restoration and protection of the environment, resettlement, district development, women and children care and public health and immunization, restoration of all human rights, removal of restrictions on Portuguese and Tetum languages; setting up of an independent Human Rights Commission appointed of a UN Sec. Gen. Resident Representative in East Timor.

Phase Two: Autonomy (five years). This is a transition stage of autonomy in which East Timorese would govern themselves democratically through their own local institutions. mocratic election of a local Assembly with a five-year mandate under UN supervision and assistance. Only East Timorese may vote and be elected; election of an East Timorese Governor for a five-year term by the Assembly. Assembly powers to include legislation concerning international trade relations, investment, property, immigration and others; withdrawal of all Indonesian troops and reduction in Indonesian civil servants; territorial police force organized by the UN placed under the command of the Governor, the territory is to have no army. Phase Two may be extended by mutual consent between Indonesia and the East Timorese population expressing its views through a referendum.

Phase Three: Self-determination. Covers preparation for a self-determination referendum, to be held within one year of the commencement of this phase, whereby the population may choose between association or integration into Indonesia, or independence.

One day before the last May 6 talks in Geneva, Konis Santana, the leader in the mountains of East Timor, sent a letter to the Secretary General to support the Peace Plan of CNRM. This is what I believe should also be done here, in this historical conference. Supporting this Peace Plan will enhance the fact that the struggle of the Timorese people is not against Indonesia, let alone against the illegal and barbaric occupation of our country and we demand the right to live the way we want, and to choose freely our future as the people of Indonesia did demand from the colonial master of Netherlands.

So long as this right is not met, we will continue to resist until we win. If we have lasted these nineteen years against all odds, we can now surely say to all of you that the light is, indeed, clearly visible at the end of the tunnel. And all those who have added your sacrifice to ours, here, for the APCET conference, my dear friends, all I can ask you is: for the sake of democracy and freedom for all of us, please don't allow this candle to fade away now!

The struggle continues on every front!
To resist is to win!
Long Live Xanana Gusmao!
Long live the Heroic Maubere People!
Long Live the Solidarity Movement!

**INES ALMEIDA**, *an East Timorese exile in Australia. She has been involved in East Timor cultural activities all her life but started a new dimension to her activities in the struggle for her people by attending the International Women's Conference in Nairobi in 1985. She is now working as a volunteer with the East Timor Relief Association (ETRA), an NGO of both Timorese and non-Timorese. She was one of only three East Timorese able to attend APCET.*

# East Timor: History, Testimonies and Perspectives

**Max Stahl**

I WILL try to convey to the people here, if I may, in this brief talk a little bit about the experiences of somebody who first came to East Timor only three years ago and who, since then, has become involved in the terrible task, the struggle that faces them. It's not an easy task because frankly I could be here for several hours without even covering the basics, but I will try.

As a film maker and as a journalist, you have to understand a certain number of extremely strange things that condition and define the news in the world. For nearly fifteen or sixteen years East Timor was a non-story. Nobody was interested, if as a film maker or a journalist you said: 'I want to do something on East Timor', nobody was interested. The reaction was a yawn, or worse, to quote an editor that I spoke to only very recently at the New York Times magazine, 'it was laughter.' They thought the story was funny because East Timor is small and the people of East Timor are not rich. And whatever people might imagine about the news, I think perhaps there are plenty of people here who understand, that the real masters that dictate what is shown and what is not shown in the news are the people with money.

So in 1991 when the United States and other major powers got together to expel Iraq after it invaded Kuwait in the name of the new world order where 'small nations should be free and secure against the ambitions of their big neighbours', in the words of President Bush, I and others began to wonder whether in fact there might be a small place for the people of East Timor. The people who after all had suffered an invasion by a large neighbour and repression far worse than the Kuwaiti themselves suffered at the hands of Iraq, but, in that case instead of being assisted by the actions of the great powers, the great powers assisted instead the invaders. They ensure that the United Nations that their own words condemning the Indonesian invasion were, to quote Senator Patrick Moneiham: 'made ineffectual.' In other words, they were lying. They ensured that the Indonesian army had the best access to the most modern weaponry, whilst the Timorese who had, in the UN's own words, 'the right', had absolutely no way of defending themselves.

When I went to East Timor in 1991, the big story was the visit of the Portuguese delegation. The Portuguese delegation were coming back to East Timor after sixteen years, when, as the legitimate rulers in exile, that is to say outside Portugal, had done almost nothing to actually help the Timorese. By that time in the late 1980's most people thought that they were coming there to sign away East Timor's future to Indonesia.

There were of course some very brave and determined people inPortugal, including some who are here present, who were determined to ensure that these parliamentarians would do such thing. And some of those parliamentarians too were trying to listen at least with an open mind. However, their courage failed them.

And as I was there filming with the Timorese people, with the resistance, specifically the clandestine civilian resistance made up of young people, children some of them, young people, students others and some of the older generations as well, hiding in houses and dodging policemen and the innumerable informers, we got the news that the Portuguese delegation had decided not to come. At this point the East Timorese resistance had exposed itself completely. They were in hiding in different houses and different towns. They had made flags out of bits of cloth and stencilled painted flags, I'd seen them and

"No demonstration that I know of had ever been held in East Timor that had not been attacked brutally."

filmed them burying them in their gardens, stuffing them up their shirts and down their trousers, and they were waiting to welcome the Portuguese. Xanana Gusmao himself was in Dili. He had Timorese people mainly unarmed, organized to protect him.

Amazing as it might sound, Xanana Gusmao was going to meet the Portuguese delegation in the capital city where the headquarters of the occupation army was located. When this delegation decided that it was not appropriate, too dangerous or not correct to come, the students, the young people and the others had to do something. And they chose to commemorate the death of a young student, a guy whom I knew slightly called Sebastioa, who had been taking refuge from the Indonesian police, who were chasing people all over Timor, threatening them with death, torture, beating them, trying to intimidate them into not talking to the invited delegates. This man had been taking refuge in the church. The church was attacked at night and stoned and he was shot.

Two weeks later, in the traditional Timorese way, was the day when they were to commemorate him, and it so happened that particular day the UN special rapporteur on torture, the man who is now Dutch foreign minister, Mr. Kloimans, was visiting Dili. And this was the day chosen to demonstrate. I won't easily forget that morning when I filmed the young people putting these flags, the entire Indonesian occupation force had been trying to find for two years, up their shirts and down their trousers, before going to church that morning to hear mass.

There was a perfect silence and respect. It was a very dramatic mass because only I and others and of course those themselves who were going to participate knew that following this mass the impossible was going to take place. These people were going to walk out into the main street of Dili and take out these flags demanding dialogue asking why the Indonesian army was shooting at the Timorese church, supporting their leader Xanana Gusmao who was hiding underneath a toilet I was told at that time not very far away, and walk down the main street right past the headquarters of the Indonesian army.

No demonstration that I know of had ever been held in East Timor that had not been attacked brutally. So they knew when they did this what the likely outcome might be. They walked down the street, there were thousands of them, I don't know how many, two, three thousand at least, and they got more as they went down.

And the Indonesian reaction, I remember filming it, was one of sheer shock. They couldn't believe it, they looked aghast and they ran into their military bases. At that point of course I didn't know why. And as the demonstration continued, the younger people, some of them as young as six or ten years old, became more and more excited, people jumped up and down, they started shouting. And the leaders of the demonstration had no need whatsoever to shout slogans in the way that we're familiar with in the west. They simply asked for discipline and calm. Repeatedly, they told people not to run. Even when a small group of Indonesian soldiers attacked some demonstrators with knives and fixed bayonets, they told them not to react. In fact there was a very slight altercation that was reaction from one of them after a girl carrying the Timorese national flag was knocked to the ground by one of these Indonesian soldiers, and one Indonesian officer was stabbed along with several demonstrators.

This was the excuse that was given by the Indonesians later for murdering hundreds of people. Because when the demonstrators got to the cemetery, and began to pray for their dead colleague, Sebastiao, and I was at that point inside the cemetary filming the beginning of the prayers and the procession to his grave, the Indonesian soldiers arrived.

There was none of them there before, there was no confrontation, there was nobody to confront. There wasn't even a demonstration at that time. The people were praying. And they lined them up along the top of the road like an execution squad, and without a single shot or a single shout they opened fire. There was absolutely no time for any confrontation to take place. And I think the Indonesian versions later, which contradicted themselves almost daily, demonstrate clearly, quite aside from the film that I myself took, that this was a murder done in cold blood.

But I went back again in 1993, and I discovered something there, which, if possible, was even more shocking. Because the murder did not end that day. It did not end with the bullets that we've seen here. The massacre that was committed on the street outside Santa Cruz cemetery, like so other massacres before it, which are like bells in a recent history of East Timor, where if I had a map of East Timor here I could point to them, one after the other, all over the territory: the massacre of Caradas, the massacre of the people on Matabian mountains, the massacre of Raytana, so many massacres. It didn't end that day.

The students and the young people who were killed, in some respects were the lucky ones because those who were not killed were ordered to stand up and then stabbed. Those like some, like the man I spoke to for example, and his testimony was confirmed by that of many others who cannot speak openly because they are still in East Timor today. There was a man, this man came to the United Nations and spoke, and I can therefore speak about him straight forwardly. He was not shot at all in the opening gunfire. But when the soldiers searched him and found no wounds on him they started to beat him. And they beat him so badly they broke his head and he had so much blood that they thought he was dead. In fact he was unconscious, they put him on a truck along with a pile of body so high that had he been underneath it he would have suffocated. It was more that a meter and a half high.

This was just one of eighteen trucks that took bodies like this to the military hospital. When he got to the military hospital, he and others heard the Indonesian saying: 'those who want treatment now should please stand up.' Two people stood up at the back of the truck and they were stabbed and thrown to the ground like pigs in the slaughterhouse. Some of them that were thrown to the ground were not dead and started to cry and to shout, and the trucks ran over them. They did this under orders, they didn't do it by accident. This guy was so badly beaten and so bloody that he was able to continue to pretend to be dead and he was taken into the mortuary. There he described what exactly what he saw, and I haven't got the time to go through the hours and hours of interviews I did and corroborating evidence.

But believe me, everything he described fits every single fact that it took me to research in more than a year of work on looking into this. And in this mortuary the bodies were piled so high that he couldn't walk without walking on his own colleagues. They were piled as he said like a ton of sand. He described seeing some friends of mine including the New Zealander Kamal. He stood up and the people were not dead some of them in the mortuary and they were asking him for water. But there was no water, there was only blood. And before he could identify more than a few people whom he named to me, the Indo-

"... the Indonesian soldiers arrived. ...there was nobody to confront...

The people were praying. And they lined them up along the top of the road like an execution squad, and without a single shot or a single shout they opened fire."

nesians came back and he lay down and pretended to be dead again. And then he saw two Indonesians come in, two soldiers.

I know the names of some of these people because this man was not the only witness. One of them had a large stone like this, a rock, like you'd build houses with in the mountain, he said. And he kicked the bodies and if they moved or shouted he threw the rock onto their heads crushing their skulls. This was seen by more than one person not just by this victim but by other people working in the hospital.

And they also brought poison, they brought a large bottle of pills. I have one of these pills with me. They gave handfuls of these pills to the wounded people. These pills I had analyzed later in London, in the police laboratory are formaldehyde. They are intended for fumigating hospital wards. They are for preserving, in liquid form, bodies. Because formalin, which is the base thing, kills all living matter. To take even a small proportion of one of these pill would be, to quote a doctor: 'dramatically poisonous.' They gave handfuls of these pills to people who were desperately in need of treatment. And they described the symptoms, and not only this man but others did. How the people who received them began to breathe heavily and gradually lose consciousness.

I can go on and on about this but I have written about it and if anybody here is interested in the evidence I have suitcases full of it. But I would like to make one point before I finish. This story that happened in 1991 was not confined to 1991. Of the more than five hundred people who today have lost their relatives from that massacre and the killings in the hospital and in the days shortly afterwards, not one of them have received the remains of their loved ones. Almost none of them had any information at all, about half the number do not know for sure if their people are dead or alive.

I investigated one of these who was supposedly missing. I discovered he'd been wounded, I knew he'd been wounded because I have pictures of him myself from when I was in the cemetary. He was taken to a military hospital where he disappeared. When the people know that, they know that they are probably dead, they know that they must be dead after two years. I'm sure that people here can understand the agony of those families who have lost their fathers and brothers and sisters. Many of them have no means of support today, and when they ask for information they get threats. These people are going through that right now.

And if you listen to the church in East Timor the bishop, for example Bishop Belo who for many years attempted dialogue with Indonesia, you will understand the desperation of the people for any reasonable means to justice. The people of East Timor do not suffer massacres every day today because it is not necessary. They are paralyzed, they have their hands tied, they're terrorized. Their only hope apart from their own determination to resist which is eminently illustrated by the continuing existence of the guerillas whom I also visited, and later on I will show some material about that and talk about them, are those who are outside and especially those who have shared something of their experience such as the Filipino people.

The message I, as a journalist, would like to convey here is that it seems to me that what has gone on in this conference and surrounding this conference has made very clear to anybody with ears to listen that democracy in Southeast Asia is not divisible. It's not for one person to be in jail and terrorized and for his neighbour to call himself a free man.

**Max Stahl** *is an English filmmaker. He was responsible for exposing to the world the massacre in Dili in 1991.*

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# East Timor's Struggle is also Indonesia's Struggle

### Rachland Nashidik

MY FRIENDS, human rights advocates around the world,

It was not an easy decision at all for Indonesian citizens like us to decide to accept the invitation of the organizers of this Asia-Pacific Conference on East Timor.

East Timor is a very complex and difficult problem in the Indonesian context. It is a very sensitive issue for a certain group of army generals who can at any moment descend into reactionary activism. A labyrinth of ignorance among the Indonesian people combines with chauvinistic sentiments and so with opening for mega-capital projects and the career steps of certain foreign affairs ministry officials and so because of these factors our acceptance of this invitation to attend this conference, and I do not mean to sound fairly dramatic here, comes with very high risks.

You all know the character of the regime in power in Indonesia today. The new order government has been able to manipulate the dominant way of interpreting the 1975 island invasion of East Timor, condemned by the world as an annexation, in the dominant thinking in our society. They have partially succeeded in this. There are many people, perhaps even a majority believe that East Timor is the 27th province of Indonesia, who believe that what happened in East Timor was not an annexation paid for by the Timorese with blood and tears, but an integration accompanied by flowers and joy.

It is this mystification that has caught Indonesian society to react in a very reactionary way to international criticism of East Timor. Those mystification has also put the democratic elements in Indonesia in a difficult position. Criticism of East Timor, even the demand for more openness of information can be construed as an act of treason. We recently held, for example, a small ceremony for the release from Cipinang Prison of Firgiliu Gausiopa Guitterez. This ceremony was dispersed by elements from the military and police. Giu is a student who was jailed (goaled) for conducting peaceful demonstration in protest against the tragic event in Dili. Democratic elements in Indonesia sympathetic with East Timor's self-determination can confront the condemnation and insult for our own society. Indonesia's own history notes that there have been at least two figures who, because of their dedication to democracy and human rights, were forced to confront their own people.

They are Jorris Evans and of course Haji Johanas Princen. They were both Dutch citizens. They both were accused of betraying their own nation and were the object of hostility from their own government because they opposed Dutch colonialism in Indonesia and helped the Indonesian struggle of independence. This was a sacrifice whose nobility cannot be expressed in words. But, as a representative of PIJAR the decision to come here is not firstly a manifestation of an especially daring tourist, the trip of violence. It must be hoped that people of our age have the boldness and courage of our convictions as did Princen and Evans.

Our primary reason for coming to this conference is to extend our solidarity to the peoples of the world in winning justice and peace. Our first commitment is to justice, that the people of East Timor should have the opportunity to determine their own faith. Only then can there be peace between Indonesia and East Timor. And the violence that has caused so many lives will be ended.

To be truthful, we are too clever to be bamboozled by nationalistic sentiments under the slogan: 'my country right or wrong.' We are generation who understand that our task is to establish democracy and welcome the honoring of human rights. We do not accept the way our regime defend everything in the name of nationalism. We come here to this conference in the Philippines ignoring our government's dislike to this conference. We are here in this conference because we cannot refuse to see East Timor as part of the democratic and human rights struggle in Indonesia.

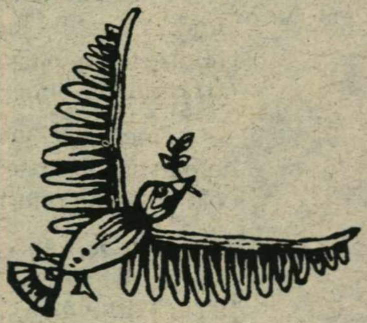
Violence, repression and coercion in East Timor must be stopped in the name of our humanity and of life itself, in the name of the victims that have fallen on both sides. The cries of children who have lost their fathers and mothers ... are the same everywhere, in East Timor and Indonesia. We cannot let so many victims fall because of misunderstanding, hostility and revenge.

Our constitution states that independence is the right of all peoples and because of that colonialism must be wiped from the face of the earth because it is in conflict with humanity and justice. The people of East Timor must have these rights, as declared in our constitution.

Are we then traitors to our nation? You and I, and especially our own people, must be able to answer this question clearly and without hesitation. Finally, may we thank the Filipino people for organizing this conference. Democracy is the most precious possession of the Filipino people. Do not let it be lost. Do not let President Fidel Ramos stop this conference unless you are willing to become the 28th province of Indonesia.

Thank you.

**Rachland Nashidik** *is Chairman of Center for Information & Action Network for Democratic Reform*



# All peoples have rights to self-determination.

**John Otto Ondawane**

FIRST of all, on behalf of the colonized people of West Papua, I, representative of the Free Papua Movement (OPM) would like to express my warmest gratitude to the organizing committee for giving me this opportunity to express our solidarity message to the national liberation struggle of the East Timorese people.

All peoples have rights to self-determination.

This means basically that the colonized and repressed peoples in the world, in our region and in actual case, in East Timor, have absolute rights to self-determination and independence.

It means that the presence of the Indonesian occupation forces in the soil of East Timor is illegal and a crime against humanity. Therefore, the military regime in Jakarta should be prosecuted under international laws.

Additionally, it also means that the peoples and governments in the world and in the Asia-Pacific region have a moral duty to defend the human rights of the East Timorese and support their struggle for justice and freedom.

In this respect, as members of the United Nations, the governments in ASEAN countries should be objective and apply these laws accordingly in favour of the majority interests of the people of East Timor, instead of denying political rights for the purpose of defending a few coins and dollars.

In the beginning of 1975, the people of East Timor believed that with the proclamation of independence under the leadership of the Fretilin would end the 500 years of Portuguese colonialism and then regain the respect and dignity that were denied them for centuries, and that they will enjoy peace and justice, democracy and equality in a newborn democratic republic.

However, these hopes were destroyed. The military regime in Jakarta annexed the country and forcibly incorporated into Indonesia to become its 27th province -- an act against International laws and conventions.

One should ask, what rights Indonesia have over East Timor? Logically, there is no appropriate answer that can legitimize the brutal act. The Maubere people has ,in any way, no historical, ethnic nor cultural links with Indonesia.

Since East Timor became the new colony of Indonesia, human rights abuses rapidly spread over the country as in all colonies of Indonesia.

Human rights abuses in East Timor is not an internal matter. With the bloody human slaughter that happened in Dili in 1991, where 200 innocent civilians lost their lives, the illegitimate and inhuman rule of Indonesia was shown to the world.

It is important to point out that the Dili massacre is only one part of the many military atrocities the people of East Timor had to bear.. The implementation in 1967 of the "Immigration" and family programs under the scheme of population transfer in the entire Indonesian archipelago the people of East Timor saw the confiscation of their lands and the violation of their democratic rights.

This conference makes us aware about the situation in East Timor. However, one of the forgotten countries that also suffered from the hands of the Indonesian government. Is the West Papua which was the first territory invaded by Indonesia. West Papua is in the western part of New Guinea Island which has at least 1.5 million Papuan-Melanesian ethnic group and majority are Christians.

Historically, West Papua has always been a separate nation even during the Dutch administration. Since Indonesia invaded the country, human rights abuses increased. Foremost of these abuses was the transmigration program funded by the International Monetary Fund. This policy aimed to make the West Papuans a minority in their own land.

These systematic human rights abuses can be pointed out, thus:

Firstly, the colonial regime imposed cultural imperialism in the entire society where the Papuans' values systems are slowly being ruined. A promoter of Papuan culture, Mr. Arnold Ab, the director of the Department of Anthropology at the University of Cendrawasih, Jayapura, and Director of the folk music-Mambesak was brutally murdered in 1984 because his songs encouraged Papuan nationalism.

Secondly, our traditional lands have been confiscated and given to immigrants and foreign companies; illegally exploited and plundered our natural resources such as oil, minerals and forests.

Thirdly, hundreds and thousands of innocent civilians have been forcibly thrown into prisons, detention cells, concentration camps, resettlement camps. 130 of political prisoners have been forcibly transferred to isolated camps in Kalisosok, Tanggerang and Cipinang in Java -- an act against international laws that guarantees the rights to be visited by his or her relatives and family.

Fourthly, apartheid system has been systematically imposed in the country, where discrimination, corruption, social injustice and violation of democratic freedom have affected human freedom.

Therefore if we are really serious about human rights concerns and the issue of self-determination, peoples and governments in our region should be reeducated on the subject of democracy. Towards this direction, the idea of regionalization of the issue of self-determination and human rights are important.

For these obvious reasons, our people pledge our total solidarity with the people of East Timor in their just struggle against the Indonesian colonialism.

We also express our solidarity with the liberation movements, democratic and progressive movements within Indonesia.

We also express our solidarity with the democratic and liberation movements in the Philippines and the entire peoples in the Asia-Pacific region.

Finally, we are certain that this conference will give us greater encouragement and valuable inspiration.

Victory of East Timor is our victory!

The struggle continues!

Victory is certain!

**John Otto Ondawane**, *spokesperson of the Free Papua Movement. He was an ex-guerilla leader of the Organisasi Papua Merdeka and also the former Secretary General of Golkar in Jayapura District*

# Don't forget East Timor

**Bishop Aloisius Nobuo Soma**

IT IS a great honour to participate in this gathering called by NGOs in the Asia Pacific region to address one of the most pressing issues of our day. I particularly wish to thank the Filipino sisters and brothers who have given us a very inspiring example of what it means to show solidarity in actions.

First of all I would like to recall the fact that one of the most important tasks of the United Nations since World War II has been furthering self-determination of peoples and the independence of former colonies. The Indonesian military's occupation of East Timor has made a mockery of this important mission and has deprived East Timor of independence and liberation from Portugal which it was to obtained.

It is not surprising that in support of the liberation, self-determination and independence of East Timor, the United Nations General Assembly passed no fewer than eight resolutions since 1975 condemning the Indonesian occupation and calling for the withdrawal of Indonesian troops from the territory. The Indonesian Government, however, ignored all of these.

I would like to take this opportunity to appeal, with urgency, to the parties involved in this tragic conflict :

First and foremost I appeal to Indonesia, the Republic of Indonesia was founded on lofty principles, principles which I always hold in the highest esteem. The Indonesian military's reckless act of invading East Timor has done nothing but besmirch the honor of the good people, the peace-loving people, of Indonesia. It is my heartfelt wish that Indonesia, returning to the high ideals upon which it was founded, and sincerely embracing the universal principles embodied in the Charter of the United Nations, will respect the rights of the people of East Timor, withdraw its troops from the territory, and turn its efforts to establishing ties of friendship with its neighbor to the East.

The people of East Timor have had to walk down a long, terrible road of suffering. In spite of this they have indicated that bitterness will not get in the way of friendly relations with their Indonesian neighbors once independence has been achieved and that an independent East Timor will not pose threat to Indonesia. I sincerely hope that Indonesia will listen with courage and respect to this magnanimous voice of the people of East Timor and will search for the concrete means to bring about a solution to the present conflict.

Next I would like to appeal to the United Nations. I sincerely hope that the United Nations will squarely face the unjustice of the present situation, that it will listen to the perfectly reasonable hopes of the people of East Timor, and that it will do all in its power to secure freedom and independence for them. In August 1989 I spoke before a session of the

> "May God give you the strength and wisdom needed for this hard but very precious struggle. May you walk in courage, without wavering and with one accord, toward the achievement of your goal, a goal which we too share with all your heart."

United Nations Special Committee on Decolonization in support of a proposal that was made in a letter to the UN Secretary General from Bishop Belo of East Timor. The bishop said in his letter that the people of East Timor "have not been consulted. Others speak in the name of the people. Indonesia says that the people of East Timor themselves have never said this... I ask you, as Secretary General, to start in Timor the most normal and democratic process of decolonisation, i.e., the holding of a referendum."

When I went to the United Nations I took petition to the Secretary General supporting Bishop Belo's proposal signed by 1257 church leaders from the Asia-Pacific region, including five cardinals, 32 archbishops, and 80 bishops. Since then support has grown even greater among church people for the struggle to realize an act of self-determination by the East Timorese. I further pledge myself to do all in my power so that the United Nations will seriously listen to what we are saying, secure freedom for East Timor without further delay, and hold a fair referendum.

However, we also realize that the settlement of international issues is not easily achieved only at the level of the United Nations or at the level of the governments of countries involved. This is because in most cases most countries in the world, as well as the United Nations, have as their primary concern selfish goals that they refer to as their "national interest," goals which have little to do with justice, peace, or love for one's fellow human beings. Non-government organizations, groups of ordinary citizens, exist, do they not, for the purpose of making up for these shortcomings of official bodies. I have come to feel this way particularly in the light of recent happenings. I believe that it is up us to make a powerful appeal to public opinion around the world on behalf of our sisters and brothers in East Timor who are prevented even from speaking. I have deeply engraved in my heart the words of Bishop Martinho da Costa, now deceased, when he visited Japan: "Don't forget East Timor."

I visited East Timor last year and was very warmly welcomed by Bishop Belo and many other East Timorese. I believed that what moved me more than anything else was to know that many East Timorese people, in the midst of so much suffering and hardship, are striving with great courage, without betraying their ideals, for justice, and justice alone. I would end my speech with a pledge of solidarity to these sisters and brothers in East Timor itself and to each and every East Timorese in exile devoting himself or herself to the struggle of the East Timorese people. May God give you the strength and wisdom needed for this hard but very precious struggle. May you walk in courage, without wavering and with one accord, toward the achievement of your goal, a goal which we too share with all your heart.

**BISHOP ALOISIUS NOBUO SOMA,** *is the Bishop Emeritus of the Japanese Catholic Council for Justice and Peace. Since 1982, he has been involved in relief assistance to war victims and peace campaigns such as on disarmament and abolition of nuclear weapons to SSD III. At the height of the Gulf War in 1990, he established and chaired the Persian Gulf Refugees Relief Committee. Likewise, he also headed a relief mission to Somalia in 1992. In 1989, he made an appeal on behalf of the East Timor before the United Nations Special Committee on Decolonization; presented to the UN Secretary General a petition from Asian bishops and other church leaders on behalf of the East Timorese. He was elected Honorary Chairperson of the Asia-Pacific Coalition for East Timor (APCET).*

# *Messages from Two Nobel Peace Prize Awardees*

## Justice will come to East Timor

Mairead Maguire

IT IS a great pleasure to have the opportunity to address this group of individuals who devote their time and effort to promoting the human rights of the oppressed people of East Timor.

I find it hard to comprehend the magnitude of the injustice the people of this land have suffered over the last eighteen years of repression. Never in the history of the world has any military campaign perpetrated quite so effective an act of genocide, never before has at least one-third of an entire population been wiped out by the invading forces of another country, never before has the level of barbarism sunk to these depths.

While much of the world is prepared to turn a blind eye to the suffering of the people of East Timor, the meeting is symbolic of the many around the world who have learnt of the tragedy and feel compelled to work to bring it to an end.

When I first heard of the suffering of the people of East Timor, I felt, as I am sure anyone with any compassion would feel, sickened. The very notion of the people of a small, weak nation being ravaged by the military powers of a larger neighbour is in itself abhorrent. My revulsion however, was yet more amplified on learning that the powers of the West, who so often set themselves up as the guardians of international morality and the police officers of the world, had not only ignored the suffering but facilitated it.

That the country to which I pay my taxes, the United Kingdom, is involved in the supply of arms, weapons of mass destruction, raises many questions on the suitability for office of many of the public representatives of Britain and their Civil Service staff.

That the Government of the "land of free", the United States of America, knew in advance of the plan to invade East Timor and that its only concern was the possible embarrassment it might cause to its own administration, that it also was prepared to sell arms and train the members of Indonesia's military machine is another example of the mercenary attitude to life so often displayed by the powerful.

That Australia, which so often proclaims itself to be champion of the underdog, betrayed its neighbour which paid so dearly to protect it only thirty years before, that it could stand back and watch as not only hundreds of thousands of Timorese but some of its own subjects were murdered, that it bartered the black gold of oil for surely the most precious commodity of human blood, raises feelings in me of nothing but sadness and sorrow.

While these powerful countries were prepared to go to war, to kill and die, in response to the Iraqi invasion of Kuwait, they ignored daily the ten UN resolutions calling for withdrawal of Indonesia's illegal occupying forces, for the human rights of the East Timorese to be respected and that the people be allowed a valid act of self-determination. It seems to me a sad indictment of the United Nations that the small-minded, selfish approach of some of the powerful nations can completely override the concerns of those who wish to see and work towards the just treatment of the East Timorese people.

On a personal note, as a person who had the honour to receive the Nobel Peace Prize, I find it difficult to accept that a fellow Laureate, the former Secretary of State Henry Kissinger should have been more concerned with short term economic gain than the human rights of the people of East Timor. The very notion that a Nobel Prize winner should have demonstrated such a lack of interest in what can only be described as absolute genocide, is a frightening thought.

It seems that in this present time, we have so very many calls on our compassion, the tragic "slaughter home" of Northern Ireland, it is hard to know where to begin. It can only be said that there can be no more suffered torture, repression, rape, mutilation and murder.

Let us not however lose hope. It is not many years ago that those who fought against the unjust regime of apartheid were told that they were fighting a losing battle. They were told that they would never see the inauguration of a black president. The day when justice will come of East Timor will come and work you do will only serve to bring that day closer.

**Mairead Mguire** *was a Nobel Peace Prize Winner for her efforts in her native Northern Ireland. Together with her companion Tom Hyland of the East Timor Solidarity Campaign, she was deported from Manila when she arrived to attend APCET.*

# Message to the APCET Participants

Dear Brothers and Sisters,

Through this letter, I would like to convey my best wishes to you.

I would like to appeal to the UN Security Council to respect the territorial integrity of East Timor so that the aspiration for independence of its people could be realized.

Inspite of human rights violations, the voice of those who are opposed to the Indonesian invasion could not be silenced. On the contrary, it has even strengthened the people's determination to fight for their legitimate demand for sovereignty. I therefore, support the East Timorese in their quest for a solution to Indonesia's authoritarian rule.

I, then, congratulate the organizers of the Conference and I am completely sure that it will greatly contribute towards finding a solution to the East Timorese problem for self-determination.

In Solidarity,

**(Sgd.) Rigoberta Menchu**
*Nobel Peace Prize Winner*

## Closing Address:

# "We Won the Battle; It's Time to Win the War"

**Renato Constantino, Jr.**
*Chairperson*
*APCET - Philippine Convenors Group*

FREE EAST TIMOR

THE Asia-Pacific Conference on East Timor end today. It could have been the longest four days for many of us who chose to stand by what we believe in. We struggled and we fought. And we won!

At least for the moment.

We challenged both Indonesia's annexation of East Timor and Suharto's invasion of the Philippine foreign policy. We looked at the human rights violation against the Maubere people even as we put to test the Filipinos' Constitutional right to freedom of expression.

While Indonesia bandied about that official relations with the Philippines will be adversely affected, the international participants to the meeting forged link; and solidarity. In the end, people's diplomacy triumphed.

But these are not the only victories we want to achieve.

Because East Timor is not just an issue for a campaign. East Timor is a reality.

Resistance leader Xanana Gusmao and a couple of hundred others are languishing in jail after having been tortured; others are summarily executed while still several others are missing. Rapes occur everyday. Poverty is widespread; malnutrition kills children who survive the bullets.

Human lives and dignity are high stakes in the arrogant game of hegemony and regional supremacy.

Today, as we leave for our respective countries to go back to our work, let us not forget the reason for which we come for the APCET.

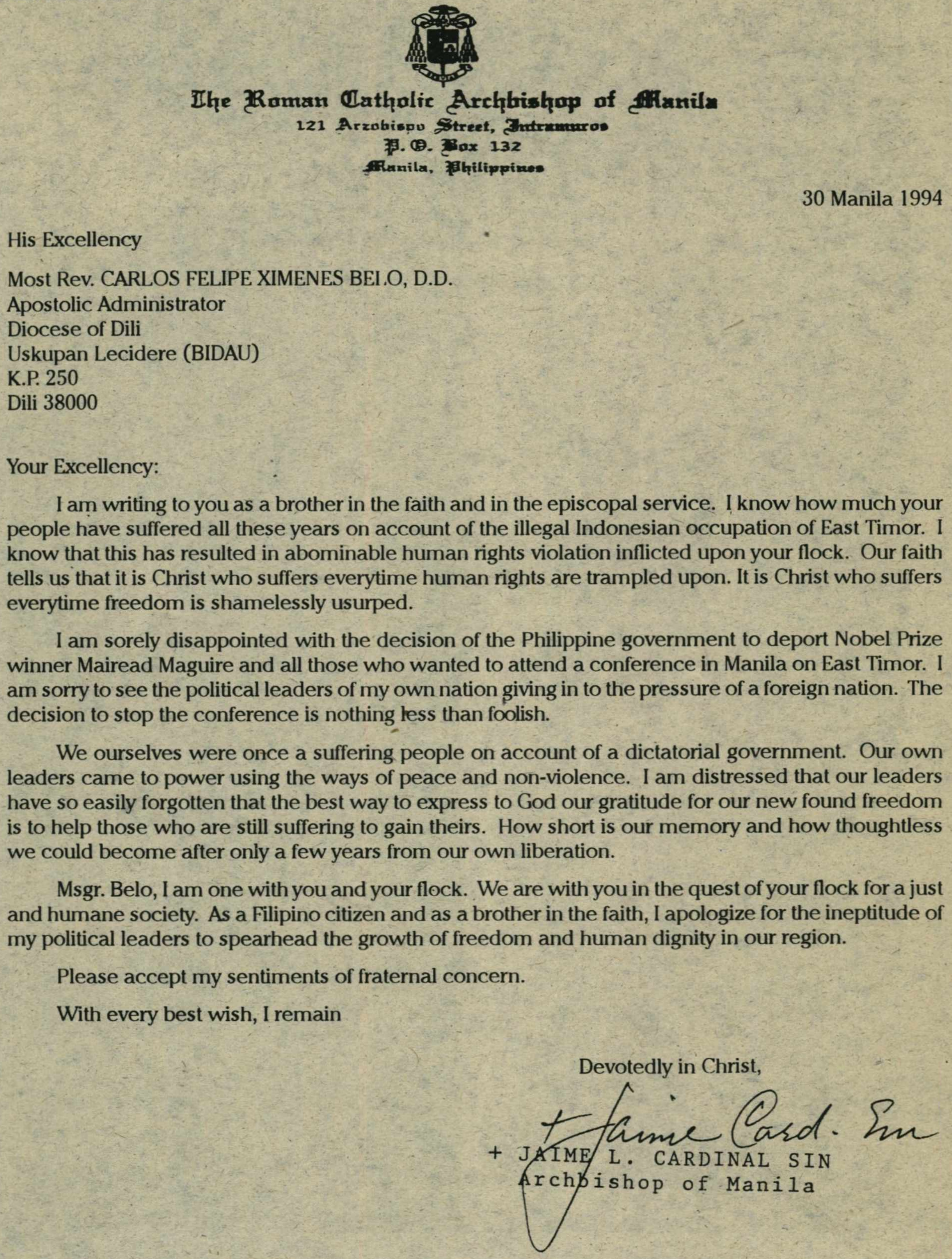
Our solidarity is one battle won for the East Timorese. Each network formed is one step in their long march to freedom much as it affirms our commitment to our humanity and dignity.

**Long live the people of East Timor!**

**Long live the solidarity of the struggling peoples of the world!**

**A luta continua!**

## *Cardinal Sin's Letter*



The Roman Catholic Archbishop of Manila
121 Arzobispo Street, Intramuros
P. O. Box 132
Manila, Philippines

30 Manila 1994

His Excellency

Most Rev. CARLOS FELIPE XIMENES BELO, D.D.
Apostolic Administrator
Diocese of Dili
Uskupan Lecidere (BIDAU)
K.P. 250
Dili 38000

Your Excellency:

I am writing to you as a brother in the faith and in the episcopal service. I know how much your people have suffered all these years on account of the illegal Indonesian occupation of East Timor. I know that this has resulted in abominable human rights violation inflicted upon your flock. Our faith tells us that it is Christ who suffers everytime human rights are trampled upon. It is Christ who suffers everytime freedom is shamelessly usurped.

I am sorely disappointed with the decision of the Philippine government to deport Nobel Prize winner Mairead Maguire and all those who wanted to attend a conference in Manila on East Timor. I am sorry to see the political leaders of my own nation giving in to the pressure of a foreign nation. The decision to stop the conference is nothing less than foolish.

We ourselves were once a suffering people on account of a dictatorial government. Our own leaders came to power using the ways of peace and non-violence. I am distressed that our leaders have so easily forgotten that the best way to express to God our gratitude for our new found freedom is to help those who are still suffering to gain theirs. How short is our memory and how thoughtless we could become after only a few years from our own liberation.

Msgr. Belo, I am one with you and your flock. We are with you in the quest of your flock for a just and humane society. As a Filipino citizen and as a brother in the faith, I apologize for the ineptitude of my political leaders to spearhead the growth of freedom and human dignity in our region.

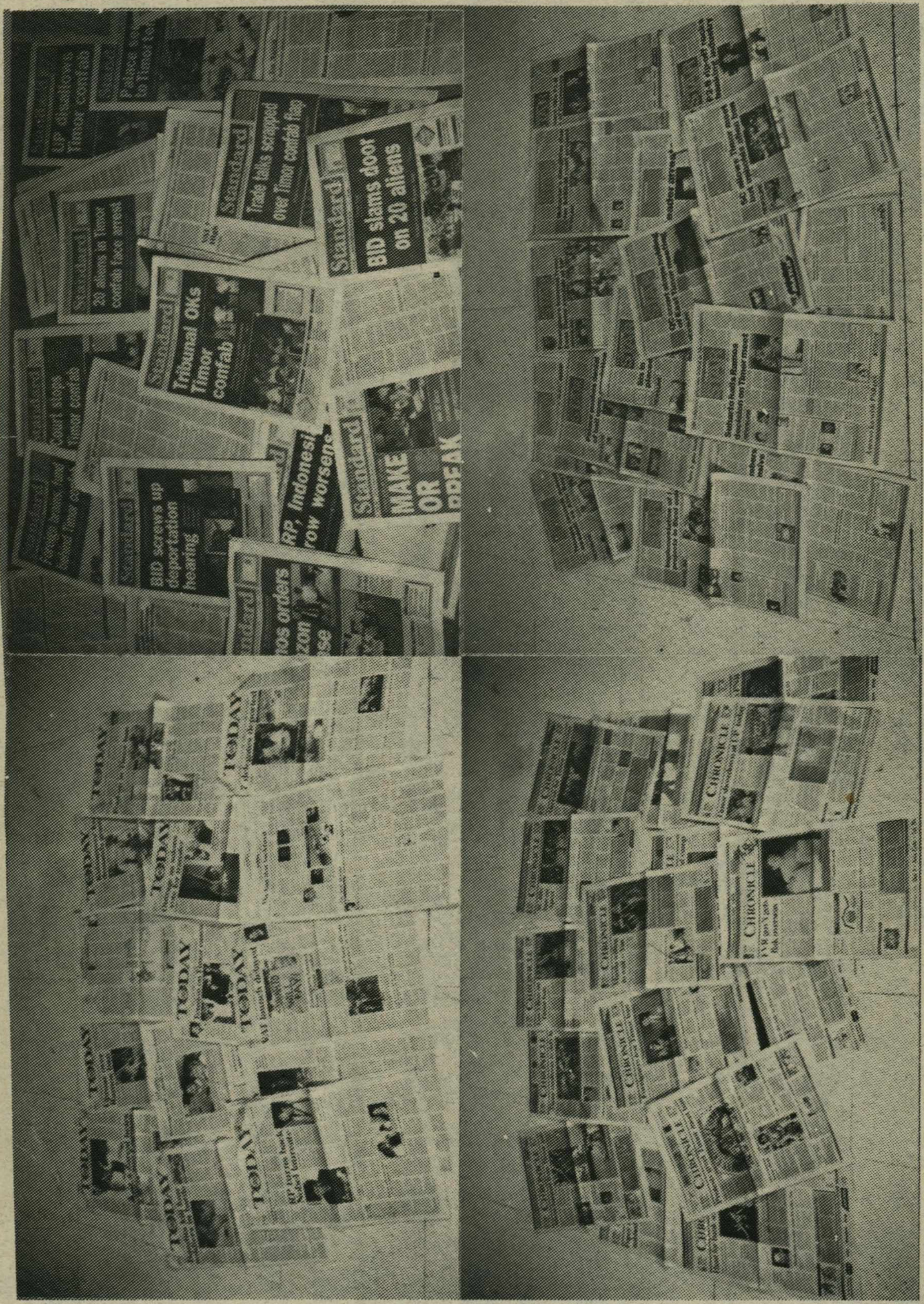
Please accept my sentiments of fraternal concern.

With every best wish, I remain

Devotedly in Christ,

+ Jaime Card. Sin

+ JAIME L. CARDINAL SIN
Archbishop of Manila


Standard
BID slams door on 20 aliens
Talks scrapped over Timor confab flap
Tribunal OKs Timor confab
20 aliens in Timor confab face arrest
BID screws up deportation hearing
MAKE OR BREAK
RP, Indonesia row worsens
TODAY
CHRONICLE

# APPENDICES

EAST TIMOR
CNRM
TIMOR LOROSAE
National Council of Maubere Resistance

# CNRM
# Statement
## (on the Philippine Government's response to Indonesian Government's

PRESIDENT Ramos' succumbing to Indonesian pressures to ban access to foreign participants at next week's Asia-Pacific Conference on East Timor in Manila is deeply saddening, blemishing Philippine standing. Ninoy Aquino, who I had the privilege and honour to have met only a few days before his assassination, would be profoundly distressed. With his heroic dedication to fight for freedom from oppression, justice and truth, Ninoy had fully supported the struggle of the East Timorese people against the brutal Indonesian occupation of their country.

The East Timorese leaders in exile, who for so many years had joined in support of the Filipino people against tyranny, feel profoundly disappointed and betrayed by President Ramos' surrender to the latest blatant interference in Filipino internal affairs on the part of the Indonesian dictatorship.

Our high expectations in the supposedly free and democratic Filipino system had led us to expect that due respect and consideration would be given to APCET. Our intention in holding the conference had been to bring together freedom-loving Filipinos and an international group of well qualified and distinguished people, able to provide valuable contributions to the process of search for a solution to the East Timor problem. As a democratic member of our region, with its people sharing some deep affinities with the East Timorese people, the Philippines seemed a logical venue, able to provide regional inputs helping to find the solution of an issue of regional concern.

Unlike Jakarta's coarse efforts to impinge on Philippine foreign policy and create regional tensions, which it shamelessly accuses us of trying to do, our intentions are to present the truth. Is there something wrong in this? Why is the Indonesian Government so afraid of dealing with the truth, to the point of responding with the present embarrassing hysteria?

All along we had welcomed the participation of high level Indonesian officials, including their Foreign Minister, at the Conference, so as to provide them with a platform to present their views. Are they so lacking in arguments, that they can only respond by brutally blackmailing the Philippines, trampling on its sovereignty and dignity? The list of foreign conferees banned by President Ramos further proves Indonesian interference in the conduct of Filipino affairs. Why are there no East Timorese collaborators of Jakarta not named among the banned?

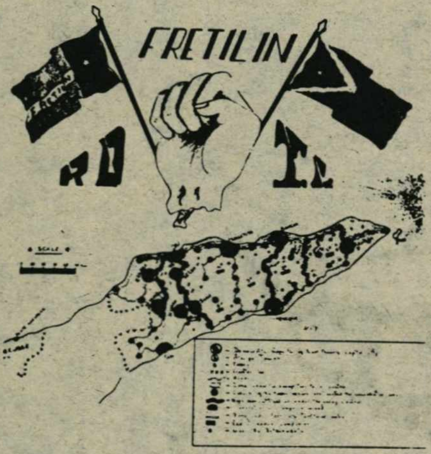
We sincerely hope that the reason and respect for principle will prevail and that the government of President Ramos will reconsider its position. This episode has been a valuable learning experience on the meaning of 'friendship' for the Indonesian regime, namely, coercion for the surrender of hard won freedom and dignity.

**(Sgd.) Jose Ramos Horta**
*National Council of Maubere Resistance (CNRM)*

**Frente Revolucionária de Timor Leste Independente**
**FRETILIN**

# Message to the Manila Conference on East Timor

**FRETILIN External Delegation**



TO the Chairperson of the Conference:

It is a great honour for FRETILIN to address this conference on East Timor.

We thank the Chancellor of the University, for his commitment for the realization of this conference. We extend our greetings and gratitude to all the Philippine human rights organizations, NGOs and the Filipino people. You have saved the image of democracy in the Philippines. You have honoured the brave Filipinos, that for so many years have fought for independence, democracy and human rights. To these men and women we express our great respect and admiration.

Since 1975 when Indonesia first accused FRETILIN of violating territory, organizations have appealed to ASEAN members to send observers including troops to the border area. Since December 7, 1975 when Indonesia launched a full scale invasion by sea, land and air, we have launched appeals to the peoples of Southeast Asia and the world to help stop the invasion. A small Pacific nation, a defenseless people, was invaded by its powerful neighbor. It was a very difficult time for us. But FRETILIN successfully organised the people of East Timor in order to defend their own country.

Without any external help, the Timorese people continue to resist: army of resistance in the mountains; cultural and political resistance in the occupied areas. At the beginning, FRETILIN conducted the responsibility of conducting the resistance alone. But some years later the other Timorese politcal parties assumed their role in the struggle. The adoption of a multi-party democracy, and the creation of CNRM (National Council of Maubere Resistance) in 1984, gave to FRETILIN a role as that of any of the other Timorese political parties. The FALANTIL, (armed wing of FRETILIN) became a national army, and its policy depends on the leader of CNRM Commander in Chief, Xanana Gusmao.

General Suharto's government claim that East Timor was integrated into Indonesia according to the UN charter, is challenged by the Timorese Catholic Church, by the United Nations and the two main political parties, UDT and FRETILIN.

In the letter addressed to the United Nations Secretary General in 1989, Bishop Belo demanded a referendum for self determination in East Timor, the United Nations Security Council Resolutions 384 and 389 on East Timor, and called all countries to respect the territorial integrity of East Timor.

In the same line, various resolutions of the General Assembly, the Human Rights Commission and its Subcommission have regarded East Timor as a territory to be decolonised.

After the official proclamation by the Indonesian Government on July 17, 1976 that East Timor is an integral part of Indonesia, the General Assembly of the United Nations in 1977 approved a resolution rejecting the claim that East Timor is an integral part of Indonesia.

We believe that the struggle for the implementation of the Conventions on Human Rights, Fundamental Freedoms and Respect for the Security Council and the General assembly of the United Nations Resolutions on East Timor, are a priority for our generation.

FRETILIN is convinced that the resistance of the East Timorese people is closely interrelated with the struggle of Indonesians towards a democratic and free Indonesia. We firmly believe that a real democracy in Southeast Asia will contribute to the stability of the region and for the solution of the East Timorese cause. Therefore we condemn the Indonesian governments expansionist and dictatorial policy of mutating generals and politicians of other ASEAN countries as their army corporals and puppets. We strongly denounce the Indonesian economic blackmail against the Philippines but FRETILIN deplores the failure of General Ramos' government to resist the Indonesion generals.

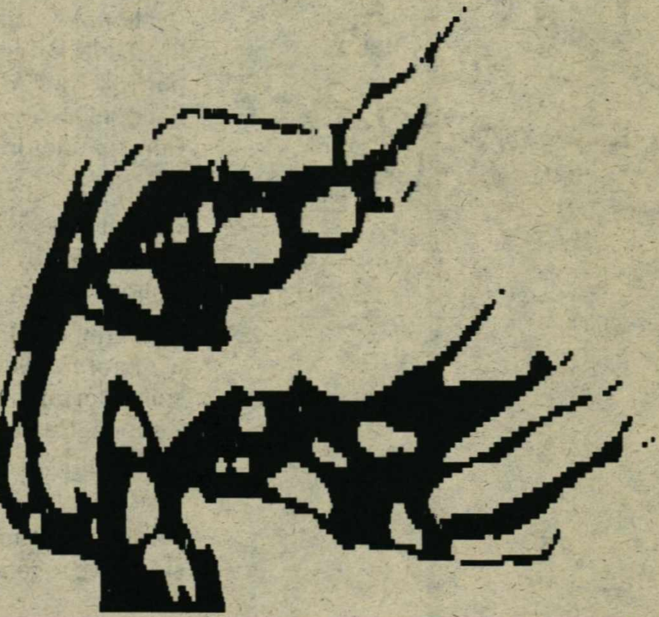
As a Southeast Asian and Pacific country, we would like to apply in the future, for membership in ASEAN. But we believe that ASEAN has to be an organization of sovereign states, and not an Indonesian Bantusthans. We would like to have economic growth for all peoples, but not at the cost of slavery and underpaid workers and peasants.

We appeal to the democrats and human rights activists in the Philippines, the Catholic Church, as well as other religious bodies, in order to help save lives in East Timor and to promote a peaceful and just solution and to put an end to the dramatic situation in East Timor.

In this difficult struggle for our independence and freedom, we need your solidarity for an urgent realization of a referendum in East Timor under the United Nations supervision, in order to decide the future of our country.

FRETILIN is ready to accept the verdict of the Maubere people.
Unidade e Accao
Resistir e Vencer

**(Sgd.) Jose Luis Guterres**
*Chief of FRETILIN External Delegation*



May 29, 1994

## To The Coordinator Asia-Pacific Conference on East Timor

Quezon City, Philippines.

Dear Comrade,

Warmest greetings from Bangladesh. We are very enthusiastic about your initiative on the conference on East Timor. On behalf of the following organizations I would like to endorse our solidarity with your initiative.

Thank you.

**(Sgd.) Ali Ahmed**
*General Secretary*
Asian Cultural Forum on Development (ACFOD) Bangladesh.

The following organizations have endorsed their solidarity support:

1. *ACFOD Bangladesh*
2. *Ain O Salish Kendro*
3. *Technical Assistance for Rural Development*
4. *Humanitarian Agency for Development Service*
5. *Voluntary Health Services Society*
6. *Model Bangladesh*
7. *Society for Peace and Development*
8. *Gono Unnayan Prochesta*
9. *Caritas Development Institute*
10. *PP21 Bangladesh*
11. *PRISM Bangladesh*
12. *Bangladesh Workers and Peasants Institute*
13. *Nari Unnayan Shakti*
14. *Mouchak*
15. *Bickrampur Ligal Aid Organisation*
16. *Community Development Library*
17. *Human Rights Association for the Children*
18. *ALOC*
19. *Organisation for Social Action*
20. *Center for Women and Child Development*
21. *Bangladesh Agriculture Working People Association*
22. *Asia-Pacific Workers Solidarity Link*
23. *Pratyasha*

June 3, 1994

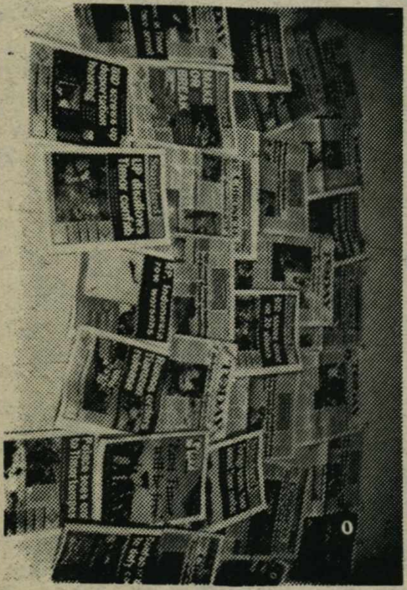
# Message to the APCET from Agir Pour Timor, France

Dear Friends,

Agir Pour Timor wishes to address its warmest greetings to all participants of the Asia-Pacific Conference on East Timor.

While we were unable to participate in the APCET, we closely followed all its developments. We heard and read with concern and excitement as pressure grew against the Conference, as foreign participants were barred, at the unsuccessful attempt to have the Conference legally banned, at the successful entry of some foreigners, including the official entry of Bishop Soma, at the end, and at the successful holding of the conference.

We were appalled by the pressure of the Indonesian government, especially the arrest of 100 Filipino fishermen, and saddened to see the government of the Philippines give in to the pressures. It is also sad that members of the East Timorese resistance could not appear in person at the Conference. Yet this is nothing in front of the response of the civilian Filipino society.



The Supreme Court ruled that the Conference could take place. The Filipino media widely covered the whole issue, condemned Indonesian interference and vigorously defended Filipino democracy. Cardinal Sin condemned the government's attitude and made public a letter of solidarity to Mgsr. Belo. But the most impressive was the strength and determination of the Conference organizers. Never, against any odds did they hesitate to proceed with the Conference. The huge success of the event - with 2,000 persons reported to attend the opening - was a measure of this firmness. And we were deeply moved with the wonderful show of solidarity with foreign participants, when they were escorted by Filipinos to protect them from arrest from the police (we read about it without unfortunately seeing the images). All this response, surely, is what the military rulers in Jakarta would never have been able to imagine in advance.

We in France are currently involved in a campaign "4 months for East Timor", together with 11 other organizations. One of them is Frances Libertes, whose President Danielle Mitterand was bullied away from participating in the APCET, and then blacklisted. (We were very honoured too to discover the name of one of our members on a blacklist!) Other participants are Peuples Solidaires, a federation of groups and individual members who have direct relations with the South; CIMADE, a solidarity and development NGO; Justice and Peace - France; the International Federation of Human Rights Leagues (FIDH), RITMO, Third World Information network; CRID, a col-

Asia-Pacific Conference on East Timor (APCET)

lective grouping of 37 organizations of international solidarity; The Coordination of Portuguese Collectives in France (CCPF); SNES, a major High School teachers union; General Confederation of Workers (CGT), a major trade union.

While the knowledge of the East Timor issue remains dim in this country, the Campaign is making steady progress, with more local groups and individuals, becoming interested and concerned. Other associations have been stimulated to position themselves with respect to East Timor and to activate their own networks. Other groups, like Amnesty International and ACAT, while not participating in the Campaign, have their own action relating to East Timor and are collaborating with us. Parliamentarians who received the Campaign's materials have started questioning the government. Groups involved in other issues - indigenous peoples, Tibet - are giving us their support. We are in a new solidarity situation in France.

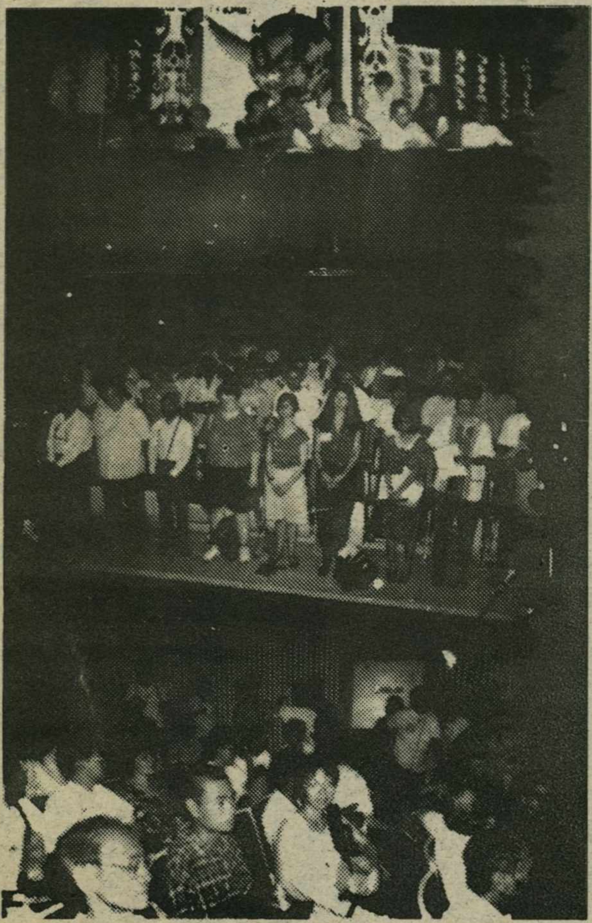
For the Campaign, together with Tribal Act and ICRA International, the major event will be the CGI meeting from July 6-8, when international aid donors to Indonesia meet in Paris under the supervision of the World Bank.

We view the Indonesian blackmail on the Philippines as a danger for democracy and stability in the Asia-Pacific region. Another one, however, is arms sales by Western countries, including France. Recently an arms deal was concluded, as 20 105 LG light cannons were sold for US$ 17 million by GIAT to Indonesia as a "first chunk" of a bigger contract. These weapons are to be used by Indonesian marines. Why should Indonesia want to purchase such weaponry, being at peace with its neighbours? Agir Pour Timor has protested against this sale, which could directly affect the East Timorese, but can be more largely viewed as destabilizing the whole region.

We wish the APCET the best possible closing, and expect that it will mark the development of solidarity with East Timor in the Philippines and other countries of the region, as well as a reinforcement of Filipino democracy.

# Message of Solidarity To The Organizing Committee Asia-Pacific Conference on East Timor

### AKSI - Indonesia Solidarity Action Australia



AKSI- Indonesia Solidarity Action, condemns the actions of the Philippine and Indonesian governments in their attempts to interfere with the functioning of the first ever APCET. On this the eve of the conference, we congratulate the organising committee for the hard work and effort that has been put into ensuring that this historic conference will go ahead.

AKSI wishes all success for the conference and hopes that all who attend will look to build and strengthen the international links for East Timor. Our united commitment to the freedom of East Timor is the greatest weapon against those governments which continue to support the illegal occupation by Indonesia.

In many ways, the struggle of the people of East Timor represents a major part of the vanguard in the fight against the Suharto dictatorship. Through 20 years of struggle for the independence of East Timor, the members and fighters of FALANTIL, through their commitment and sacrifice, have kept alive the people's desire for freedom not only in East Timor, but also the pro-democracy movement within Indonesia itself.

AKSI will continue to support the work of the East Timorese in Australia and all efforts to build a strong solidarity movement in Australia.

We plan to work together with FRETILIN, UDT and other groups this year to build the biggest possible demonstration on November 12 to commemorate the deaths of those who sacrificed their lives for the independence of their country, and to show support for the demands:

Indonesia Out of East Timor!

End recognition of the Indonesian occupation of East Timor!

Recognise FRETILIN, UDT and CNRM as the legitimate representatives of the East Timorese people!

Stop defense cooperation with Indonesia!

**VIVA TIMOR LESTE!**

**(Sgd.) Murray Addison**
*Co-convenor, AKSI*

# East Timor: 19 years of Human Rights Violations

**Amnesty International Philippines**

THE Amnesty International Philippine Section has monitored and views with deep concern the turn of events with regards to the Asia-Pacific Conference on East Timor. It is unfortunate that there are attempts to ignore the real and very serious human rights situation in East Timor. It is alarming to note the attempt to deny the universality of human rights and take for granted the responsibility of every state to ensure that international human rights norms and standards are respected everywhere regardless of geographical, cultural, religious and political boundaries.

Amnesty International has consistently viewed the East Timor issue in conjunction with the position of the United Nations which has not recognized Indonesian sovereignty over East Timor. It is clear that East Timor is occupied by Indonesian forces and that it is not a province on Indonesia. More importantly, the terrible human rights situation in East Timor since the occupation in 1975 has been repeatedly brought to the attention of the international community by Amnesty International and other international organizations. These appalling facts are extremely crucial in the continuing political debate:

* In the first few years of the invasion of East Timor, as many as 200,000 of a population of about 600,000 East Timorese have died, thousands of whom were extrajudicially executed,

* Hundreds of other East Timorese have "disappeared" and remained unaccounted for,

* Scores of suspected opponents of Indonesian rule in East Timor were sentenced to lengthy prison terms for subversion and other political offences in the mid-1980's,

* Interrogation of suspected opponents often included torture and ill-treatment,

* At least 100 people were killed and many more wounded in the Santa Cruz massacre of 12 November 1991 when Indonesian forces opened fire on a peaceful procession, and

* 20 East Timorese remain prisoners of conscience and another 11 independence activists who are in danger of ill-treatment and torture were detained in May 1994..

# Solidarity Message to the Asia-Pacific Conference on East Timor

May 27 1994

ASIN - Asia-Pazifik Informationsstelle

THE Asia-Pacific information Desk (ASIN) in Switzerland has repeatedly reported about the plight of and struggle of the Timorese People.

Last year we were able to invite a representative from FRETILIN to Switzerland. He showed the video tape of the Dili massacre in November 1991 and informed Swiss people about the genocide by the Indonesian government against the Maubere people.

The need for an Asia-Pacific Conference on East Timor (APCET) is very urgent. It is the right of every people to make known what atrocities are going on in their country and search for a just solution. For too long the people of East Timor have suffered under the occupation of their nation by Indonesia. Too many people have lost their lives in the struggle for independence. And too many people are still behind bars for the simple reason that they want to be free and speak out for their people's rights. Among them the FRETILIN leader Xanana Gusmao.

The United Nations have passed several resolutions demanding that Indonesia end its occupation of East Timor. Unfortunately the United Nations failed to take action to implement the resolutions.

By prohibiting foreigners, especially Maubere representatives to participate in the APCET, the Ramos regime shows that it rather carries out the orders of the repressive Suharto government than observe the resolutions passed by the UN.

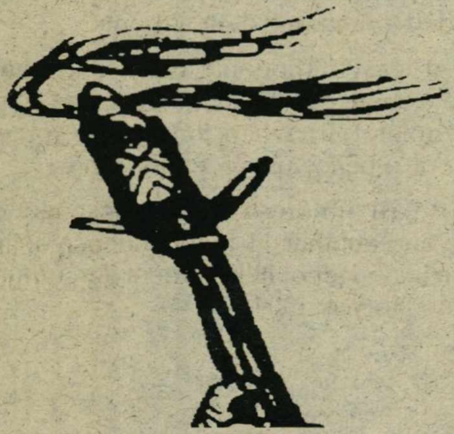
ASIN strongly condemns the attempts by Ramos to prevent the conference. But we have to admit that we are not very surprised. It is just another proof of how similar the two military heads Ramos and Suharto are.

We extend our full support to the APCET. We wish you a fruitful conference despite the repression by the Ramos regime. We congratulate FRETILIN on its 20th anniversary. Mabuhay ang FRETILIN.

We demand the immediate release of all political prisoners in Indonesia, East Timor and elsewhere.

In Solidarity,

**(Sgd.) Rita Mainrad**
*ASIN*



# To The Asia-Pacific Conference on East Timor

**Human Rights Council of Australia Inc.**

Dear Friends,

There has been so much talk among governments about the "reality" of East Timor; about the irreversibility and supposed benefits of Indonesian occupation. And yet we are still left wondering whose "reality" these governments are referring to. There is another reality.

The reality for the Timorese people has been the deaths of as many as two hundred thousand people, the destruction of families, the suppression of their culture, constant intimidation, surveillance, the ever-present risk of arbitrary detention and subsequent torture in custody.

In the Australian Senate on December 10, 1991 (International Human Rights Day), the Foreign Minister Senator Evans unequivocally proclaimed that the East Timorese people have never exercised their right to self-determination. In spite of this, the Australian government policy explicitly denies them that opportunity.

When Senator Evans states that the Timorese people have never exercised their right to self-determination and our government simultaneously pursues a policy not just premised upon but in fact supportive of continued Indonesian occupation then there can only be one conclusion: **the Australian Government is guilty of complicity in the most fundamental human rights of the Timorese people.**

And this, in view of the Human Rights Council of Australia, is a source of shame to all Australians.

The Australian position is even more unconscionable when the opportunity for a peaceful and just settlement clearly does exist and lacks only the necessary political will. It is our conviction that moves internationally to directly involve the Timorese in talks with Indonesia and Portugal under United Nations auspices must be supported!

We say this simply to reaffirm this Council, together with other Australian NGOs, remains fully committed to exposing the East Timorese reality and to doing whatever can be done to overcome the governmental barriers to a peaceful and just solution.

We reaffirm our support to cohesive and determined international cooperation among non-government groups, most particularly among NGOs of the Asia- Pacific region.

We regret that Jim Dunn, Convenor (and a founding member) of our Council, has been prevented from attending this important conference.

We wish you success at APCET in spite of all the obstacles and the intimidation, we know the seeds sown today will bear fruit.

With our best wishes,

**(Sgd.)Eric Sidoti**
*Human Rights Council of Australia*

# Joint Statement of Malaysian NGOs on East Timor

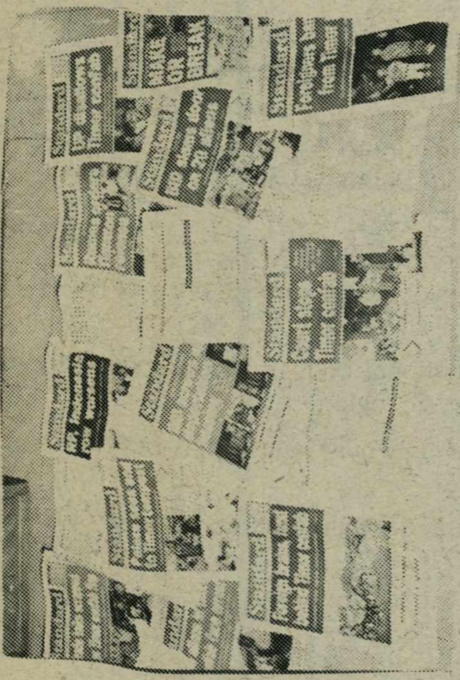
May 31, 1994

AFTER 19 years of illegal occupation of East Timor, the Indonesian government recently admitted - albeit reluctantly - that 200, 000 East Timorese have died during its brutal occupation.

Until this very day, the United Nations does not recognize Indonesia's jurisdiction over East Timor, and has passed no less than ten resolutions condemning Indonesia's invasion and its subsequent annexation of this tiny former Portuguese colony.

The people of East Timor are living and continue to live under occupation; facing arrest, imprisonment, torture, rape and death - all in the quest for an independent nation of their own.

The Indonesian government should not be allowed to prolong its heinous presence in East Timor, and must be made to withdraw immediately from its illegal occupation. It must abide by the United Nations resolutions in involving the East Timorese in any discussion for an independent and free East Timor. In addition, it must release immediately all prisoners, including Xanana Gusmao, as a step towards recognizing the legitimate rights of East Timorese to self-determination.



The Indonesian government must realize that more and more people in Southeast Asia support the struggle of the people of East Timor, even though our own governments have remained silent and acquiescent on Indonesia's brutal occupation of East Timor.

Even though our governments in ASEAN, on the basis of the so-called "ASEAN Solidarity", have placated Indonesia in making the East Timorese plight a non-issue, we know that concerned individuals everywhere are willing to raise public awareness on Indonesian atrocities in East Timor.

We deplore the Filipino government's recent decision in banning the attendance of foreign delegates at the Asia-Pacific Conference on East Timor (APCET). The action amounts to a complete capitulation to Indonesian pressure to deny international focus on the East Timor issue. We condemn the Filipino Government for compromising the constitutional rights of its very own citizens in conferring with others on international issues of their interest. The Filipino government has willingly lent itself as accomplice in creating a wall of silence on East Timor.

# Message to the Asia-Pacific Conference on East Timor

Manila, Philippines

**L'Association de Solidarite avec Timor Oriental (ASTO)**

OUR warmest greetings to participants and organizers of the Asia-Pacific Conference on East Timor. While we are unable to be physically present in the conference, we are wholly with you, in mind and in spirit, in solidarity with the people of East Timor.

We deplore the decision of the Philippine government, succumbing to the pressure of Indonesia, to ban the participation of non-Filipinos in the conference. The Suharto government, in attempting to suppress a conference outside its borders, has disrobed itself as power that shows no respect whatsoever for the sovereignty of other peoples. The diplomatic pressure it has exerted to silence the conference only confirms to the world community that Indonesia is trying to hide its illegal act towards East Timor.

ASTO and its members firmly supports the people of East Timor in their struggle and right to self-determination. We take this occasion to reaffirm previous positions of the international community condemning Indonesia's invasion and unilateral annexation of East Timor.

As they say in Pilipino, "Mabuhay" to the Asia-Pacific Conference on East Timor. "Mabuhay" to the people of East Timor.

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Letter from the

# East Timorese Political Prisoners in Dili

**Military Prison in Dili, East Timor**
May 1994

WE, the political prisoners and survivors of the tragedy of 12 November 1991, in the name of the people of East Timor, send our congratulations for your praiseworthy initiative in staging the Manila Conference in order to make known to the world and in particular to the ASEAN countries the resistance struggle of the Maubere people against the illegal occupation of our country.

In this time of great transformation the political relationships of the world while a new political world order is emerging, oriented to the defense of legitimate aspirations and fundamental values of peace, respect for the dignity of human beliefs and peoples, it is appropriate that individuals, groups, organizations and governments who love peace, liberty and justice should promote initiatives of this kind so that the truth should be like a road to bring men and peoples to find their liberties.

Certainly, today, the struggle of the Maubere people is developing new dimensions. Before, the total blockade of information to the outside world by the occupying Indonesian government made possible the extermination of more than one-third of the Timorese population. Today, it is an international issue, occupying the attention of peoples and governments, including the peoples of ASEAN, thanks to the efforts of brave men like you.

We hope this conference will be successful and fruitful for the future.

Finally, we send our most respectful greetings to you and to all the participants at the conference, and in particular to Madame Mitterand and Dona Maria Barroso.

*From University of Porto, Portugal*

# Message to the Asia-Pacific Conference on East Timor

IN the name of the President of Oporto University and in my own name, I wish to congratulate the organisers and all the convenors of the Asia-Pacific Conference on East Timor for their decision to realize such an important conference in the Philippines.

Our congratulations and thanks are even stronger and more deeply felt because the organizers have maintained their decision in spite of the tremendous pressures and even threats which they had to face from the Indonesian Government and its agents in order to make them cancel it.

The extreme courage of the Maubere People, who resist the Indonesian occupation under the most difficult and trying conditions has found in Manila a similar courage and determination in the struggle for freedom, peace and self-determination of the East Timorese.

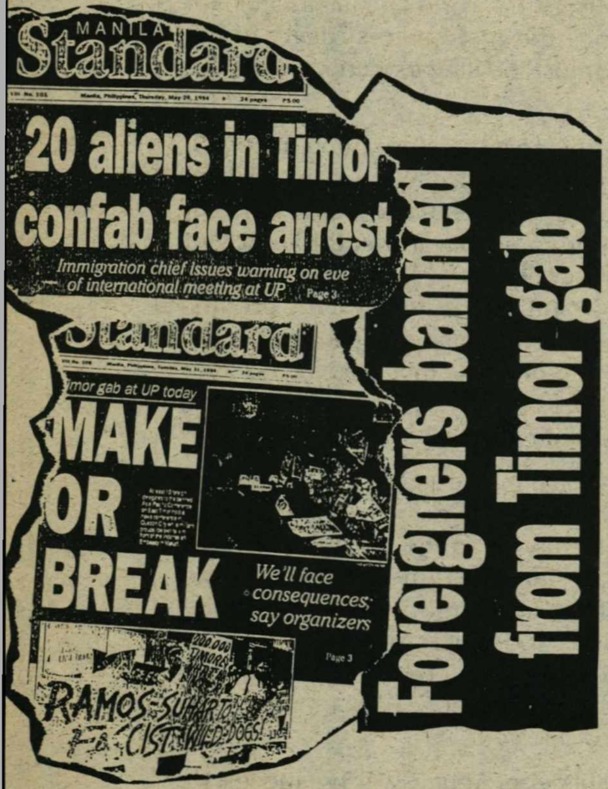
Perhaps the long and hard struggle for freedom and democracy of some of the organizers together with the Filipino people, during the dictatorship of Ferdinand Marcos, has strengthened your courage and determination.

We thus thank the organisers and co-convenors of the conference which is in our opinion together with the 1992 Peace Mission, one of the two most important actions of solidarity of the eighteen years of the Timorese struggle for self-determination.

We also congratulate and thank all of the participants, both from the Philippines and abroad for their commitment to the East Timor issue, and for the determination shown simply by coming and participating in such an important meeting.

For far too long, the silence of the international community has been the best ally of the Indonesian Army in the oppression of the Timorese People. This is one of the reasons why the conference is so important.

The fact that the Indonesian authorities have reacted so apprehensively to the Conference is merely a sign of the weakness of their positions. Fortunately the result has been precisely the opposite of the one the occupiers hoped for. Indeed, the interest of the press not only in the Philippines and Southeast Asian nations but all over the world in the Manila Conference, has increased enormously because of the Indonesian threats and interference. The articles and editorials published by some of the most important American newspapers are a



MANILA Standard

20 aliens in Timor confab face arrest

*Immigration chief issues warning on eve of international meeting at UP* Page 3

Standard

*imor gab at UP today*

MAKE OR BREAK

*We'll face consequences, say organizers*

Page 3

Foreigners banned from Timor gab

RAMOS-SUHARTO FASCIST WILD DOGS!

sign of this.

For these reasons, as I write this on May 25 1994, we can say that the Asia-Pacific Conference on East Timor is already a tremendous success. Even if the conference had not taken place, the attention that it drew to the drama of Timor and the commitment and determination shown by the organizers and participants are proof that its main goals have already been reached.

For all these reasons the University of Oporto is proud to be one of the Co-Convenors of this Conference, and thanks to the organizers for inviting us. The University of Oporto - the largest University in Portugal, is also very pleased that the Conference is taking place in the largest and most prestigious Philippine university. In the name of the President of the University of Oporto, I wish to express to the President of the University of the Philippines our gratitude and sincere appreciation for hosting this conference and our most cordial greetings.

Unfortunately, neither the President of Oporto University nor I are able to attend this important conference personally. But we are both well represented by Dr. Susan Castillo, a teacher of Oporto University whose commitment was clearly demonstrated in the Fifth Symposium on Timor of Oporto University. Mr. Renato Constantino Jr. and Augusto Miclat Jr., who honoured Oporto University with their participation in this Symposium, know Susan Castillo and know about the book, *The Rhetoric of Resistance*, which she is preparing. They know the strength of this little woman, a woman who reminds us of so many Timorese women who with their courage, in spite of all their suffering and humiliation to which they have been subjected to for more than eighteen years of Indonesian occupation, are doing much more the freedom of the Timorese and of humanity as a whole than so many "big men" in the governments of so many powerful countries.

I can still remember the time when so many "civilized" people said that democracy was not for underdeveloped people, like the Southwest European people of Spain and Portugal. But after more than 50 years of a retrograde Fascist and colonial regime in Portugal, in 1974 the doors of democracy were finally opened to us. And, although it was difficult in the beginning, the democratic experience has been a success in Portugal. The same happened in Spain a few years later, and in the Philippines as well. And this means that democracy is not only for some people living in certain places in the world, but is a just and realistic aspiration of almost every human society ... provided that the more powerful states do not intervene in negative fashion preventing other peoples from being free.

It is our hope that the struggle of the Indonesian people for freedom and democracy will be successful in a not too distant future as has been the case in Portugal and the Philippines. And I believe that the Indonesian people will become the best ally of the Maubere people in its struggle for peace, freedom and self-determination.

With this conference realized in Manila, the solidarity of the Filipino people towards the Timorese has reached such a high level that it is spreading to the neighbouring countries and of the whole world.

Portugal still has a very strong debt to the Timorese people, who suffered under Portuguese colonialism for more than four centuries. Tragically, it was precisely when Portugal gave up its colonial role, with the democratic revolution of April 1974 and began the decolonisation of East Timor that a country which was an ancient symbol of anti-colonialism invaded and annexed East Timor, thus becoming a new colonizer itself.

I have struggled in my country for many years against the war that Portugal conducted against the peoples of the Portugese colonies in Africa. Already in 1965, I publicly stated that this criminal war could not be won by the colonialist power ruling my country at that time.

Now, based on exactly the same principles, we must struggle against the new colonialism imposed upon the Maubere people, taking into account the special responsibilities that, on behalf of the international community and in accordance with the United Nations resolutions, Portugal, still has in relation to East Timor, until an action of genuine, free self-determination takes place. We, the Portugese, have one more reason to thank all of you, organisers, supporters and participants in this conference, for your support of the Timorese people and its right to self-determination.

We know that participating in the Conference all of you may be thinking of the more than two hundred thousand Timorese victims of the Indonesian occupation. We all remember the women, the men, and all the Timorese people who even now continue to suffer tremendous oppression.

All of us remember here the Timorese who with unimaginable courage and tenacity keep on resisting, armed or not, in such unequal and difficult conditions that it is hard to find a parallel anywhere at anytime. To them and to their representatives, within East Timor and beyound its borders, namely those of CNRM, FRETILIN and UDT, our very special homage and greetings.

Our thoughts go to the Indonesian prisons where Xanana Gusmao and other Timorese - and in some cases some Indonesian students and activists - suffer for defending human rights and the rights to self-determination of East Timor.

We hope this initiative of our Filipino friends will make a strong contribution to the release of Xanana Gusmao and all the Timorese political prisoners to whom I pay homage.

Before concluding, may I address a very special word to two very special friends whom I had the greatest of pleasure meeting in Portugal in the Fifth Symposium on East Timor of Oporto University, Renato Constantino Jr. and Augusto Miclat Jr. We have no words to express our gratitude for your efforts, your commitment, and your courage. You are very near to my heart.

With the deepest hope that with the valuable contributions given by this Conference, East Timor will soon be free, and all of us will celebrate together in peace, and without any external pressures, its freedom.

Thank You.

**(Sgd.) Professor A. Barbedo de Magalhaes**
*Coordinator, Symposium on Timor of Oporto University*

## Letter from
# Xanana Gusmao in Prison

Cipinang, 18 May 1994

Dear Companheiros,

A warm embrace to all of you (from all of us in jail). I hope that the conference achieves a great success for our beloved people.

Please convey my gratitude to President Fidel Ramos and the Government of the Philippines for being faithful to, and consistent with the Filipino Constitution. Also, for not giving in to the Indonesian pressure.*

Please convey as well a special greetings to the Filipino human rights organizations and a big embrace from the Falintil guerrillas for the Filipino solidarity.

And to his Eminence Cardinal Sin as an eminent figure in the struggle for the human rights of the Filipinos, may he pray and raise his voice for the martyred Maubere people.

A special message to Ms. Cory Aquino. After her struggle for democracy and justice in the Philippines, we hope that she will preoccupy herself with the dramatic situation of the people of East Timor.

A special embrace to the participants.

Homeland or death! To resist is to win. The struggle continues in every front!

**Sgd. Kay Rala Xanana Gusmao** *CNRM*

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** letter released before Ramos finally succumbed to pressure from Suharto.*

# Statement of Concern of Thailand-based NGOs and Individuals on the Asia-Pacific Conference on East Timor

May 27, 1994

EAST TIMOR has been a pressing international issue since Indonesia "Occupied and Integrated" it as its 27th province in 1975 after Portugal abandoned its former colony in the midst of a civil war. Since then, the Timorese people have been waging a struggle for independence.

The struggle, however, is not without cost. To date, at least one third of the entire population have either been killed or disappeared. The most infamous of atrocities against the Timorese people was the Dili massacre of 1991 when at least one hundred mourners in a funeral protest march were gunned down. Film of the massacre, filmed by a foreign journalist, was widely shown and resulted in public outcry especially throughout the western world.

These occurred despite repeated calls from the United Nations for Indonesia "to withdraw without delay all its forces" from East Timor. The UN Security Council resolution of 1975 likewise called on "all States to respect the territorial integrity of East Timor as well as the inalienable right of its people to self-determination..."

Despite all these, however, Indonesia's strong hand remains in control of the territory.

The Dili massacre, and the regular reports from Amnesty International, Asia Watch and other reliable sources documenting human rights violations and atrocities facilitated the formation of various support groups particularly in Western Europe and Asia.

The Asia-Pacific Conference on East Timor (APCET) to be held in Manila in late May 31 - June 4, 1994 aims to bring the East Timor issue right to where it belongs, Asia, more specifically, Southeast Asia.

The Asia-Pacific Conference will tackle the legal, political and cultural dimension of the East Timorese struggle as it tries to explore actions of convincing the Indonesian government to formally negotiate with the East Timorese people to finally bring freedom and justice to their suffering Maubere nation.

Likewise, a comparative study of the struggles of other Asian peoples will be presented to put the East Timorese struggle in its regional perspective, further drawing parallels and possible concerted actions for solidarity and networking.

Expected to be participated in by at least 200 delegates from all over the globe, majority of whom will come from the different non-governmental organizations and people's organizations in the region, the Asia-Pacific Conference hopes to bring into focus the Timorese people's right to self-determination and consolidate its support network in the Asia-Pacific region.

On May 20, President Fidel Ramos of the Philippines has ordered the ban on the Conference and barred the foreign participants from entering the country. His hardline stance was a turnaround from his original position of distancing his government from the Conference, while saying that it would be unconstitutional if banned.

The threat to arrest and deport the foreign participants "as inimical to the national interest" has been made by the Philippine government. It shows that the Philippine government has lost its own independent stance and sovereignty since they bowed to the Indonesian government to stop the conference.

How can the Philippine government especially the elected-President claim that his country is a democratic society which fully respects human rights especially freedom of expression and assembly?

How can the Philippine government claim that the Philippines is an independent state but in fact it is obviously manipulated by the Indonesian government under this situation?

Why does the Indonesian government continue its stubborn stance and try to cover-up their bloodied hands and the gross violations of human rights of the East Timorese people but do not take any action following the United Nations resolutions?

It is clear to all the justice-loving people all over the world that a "CRIME IS STILL A CRIME" and it is no way to become another!

Therefore, we as peace and human rights activists strongly denounce the nonsense and narrow-minded exercises taken by the Philippine and Indonesian governments especially violating the freedom of expression and peaceful assembly.

* We urge President Fidel Ramos to withdraw the unpopular and unreasonable order to ban the Asia-Pacific Conference since one of the Conference objectives is to pave the way towards the peaceful settlement on the East Timor issue.

* We condemn the Indonesian government who continue to be the big liar to the world and not willing to take the responsibilities for the brutal massacres and massive killings of more than 200,000 East Timorese since 1975.

* We demand the Indonesian government to stop its aggression and agree to take action following the United Nations resolutions and agree to formally negotiate with the East Timorese people.

Signed By:

*Friends of Women Foundation*
*Coalition for Peace and Development*
*Coordinating Committee of Human Rights Organizations in Thailand*
*Justice and Peace Commission of Thailand*
*Union of Civil Liberty*
*Asia Indigenous Peoples Pact*
*Asian Cultural Forum on Development*
*People's Plan for the 21st Century*
*South Asia Forum for Human Rights*
*Southeast Asia Network for Human Rights*
*Solidarity Asia*
*Prof. Suthy Prasartset, Faculty of Economics, Chulalongkorn University.*
*Dr. Thongban Thongpao, Human Rights Lawyer and Magsaysay Awardee*

tapol
Indonesian Human
Rights Campaign

# Greetings to APCET Organisers and Participants

May 27 1994

TAPOL, the Indonesian Human Rights Campaign, heartily salutes the organisers of the Asia-Pacific Conference on East Timor and admires your extraordinary tenacity in doing everything imaginable to make sure that the Conference will proceed as planned. We salute also all those foreign delegates who decided to go to Manila despite all attempts to bar them from attending the Conference.

It was clear many months ago that Suharto was prepared to go to great lengths to prevent APCET from taking place, to prevent East Timor from becoming a regional issue and prevent NGOs in Southeast Asia and the Pacific from discussing self-determination for East Timor and human rights violations there with representatives of the people of East Timor. But we never imagined that things would go this far.

It was the spectre of East Timor becoming a regional issue, even an issue within the councils of ASEAN, that made the alarm bells ring in Jakarta. The regional silence on East Timor has always been a major obstacle in winning support from the international community; compare this for instance to African support for Western Sahara. Suharto has recently became adept at using diplomatic muscle and economic threats to prevent other governments from taking up human rights issues at any level. The Philippine Government became the hapless victim of his latest operation. It is a sad omen for democracy in the Philippines that President Ramos has buckled under and that a week later, the Philippine judiciary added its weight to this disgraceful campaign to prevent the Conference from taking place.

We have, with your help, followed the electrifying impact all these have had on Philippine public opinion and the print and television media, giving you - East Timor - publicity you could never have thought possible in your wildest dreams, had the meeting gone ahead without interference.

But be confident also that public opinion in Indonesia has been stirred. Suharto's drive against APCET has been front page news in many newspapers. The Indonesian press is far less free than the press you enjoy in the Philippines and reports have tended to give the government's viewpoint. But even so, the accounts have included alternative views, even warnings from the government's close foreign affairs not to push Manila too hard. The sustained reporting under banner headlines has helped alert people to the unprecedented lengths Suharto will go to block all discussions on East Timor. The impact on the pro-democracy movement has been quite stunning. Why all the hue and cry about an NGO conference on East Timor, people are asking? People who have been lukewarm about including East Timor in their concerns about democracy have become more eager to study the issue. Suharto's anti-APCET campaign may have sown seeds for a much more powerful East Timor solidarity movement in Indonesia than we could have hoped for, even a few weeks ago.

Your determination to go ahead, come what may, has been instrumental in keeping the issue of East Timor very much in people's minds in the Philippines, in the region and in Indonesia. This is why we salute you, take inspiration from you, and will do what we can to support your efforts in the days to come when, who knows, you could face even greater difficulties than hitherto.

Greetings in solidarity,

**(Sgd.) Carmel Budiardjo**

# A Message of Solidarity to the Struggling People of East Timor

Cordillera Peoples Alliance, Baguio City, Philippines

May 26, 1994

WE, the indigenous peoples of the Cordillera, under the Cordillera People's Alliance extends our solidarity greetings to the participants of the Asia-Pacific Conference on East Timor. As indigenous peoples we yearn for the same thing, that of the recognition and respect of our most basic right to self-determination. We affirm our recognition of the inalienable right of the people of East Timor to be self-determining, which the Indonesian government has denied since its annexation of your country in 1975. The continued denial of Indonesia of this basic right is deplorable and should be condemned by the international community.

The indigenous peoples of the Cordillera face common issues with the people of East Timor, and indeed in some instances in the past we have strived to work together at making the international community take heed of our plight and struggles. As indigenous peoples, our right to self-determination has been denied us by the Philippine government which continues to deny us our territorial base. Like East Timor, we are being subjected to grave human rights abuses by government soldiers who are bent of exploiting to the hilt our natural resources. The entire Cordillera has been exproriated by the Philippine government in the name of development. If this is not colonialism, what is?

Yet, like the struggling people of East Timor, we continue to oppose this colonialist attitude of the government. Our people have not been cowed into accepting the dictates of the Ramos government. Our people have launched protests, in various forms, against the injustice being perpetrated against us. It is this commonness of being oppressed and in taking action to correct the injustice that brings our cause together.

It is therefore unfortunate that the Ramos government has proven itself to be a lackey of the Suharto regime in succumbing to the pressure from Indonesia to stop the Asia-Pacific Conference on East Timor from taking place. By following the dictates of Indonesia, Ramos had demonstrated his position vis-a-vis the issue of human rights. It has also proven the fact that the Philippines is still a colony - despite claims to the contrary by Mr. Ramos et. al. In fact, this position of the Ramos government spells greated danger also for the Filipino people for it proves beyond doubt that Mr. Ramos is no different from his predesessors, who have no respect for the basic rights of their citizens.

It is indeed unfortunate that such an important and historic conference has been maligned and sabotaged by the Philippine government. The government would have gained much from the holding of this Conference for it would have shown the world the firm adherence of Mr. Ramos to the principles of human rights. This would have been a perfect oppportunity for the Filipino people to express our solidarity and to help bring to world attention the human rights abuses happening in East Timor. It would have been a strike for justice.

However, let it not be said that we, the Filipino people have shirked from our responsibility of exposing human rights abuses wherever it is happening. While the Ramos government has sought to stop the Conference from taking place, we vow to our East Timorese comrades that we will continue to achieve the objectives set for the Conference in our own ways and areas of influence. We will continue to raise our voices against oppression and injustice beyond the conference halls into the heart of every human being.

In the end it will not matter whether Ramos or Suharto or any pseudo-leader, will continue to employ dictatorial tactics to silence our protests, the justness of our cause - that of seeking liberty and equality for all people - will prove the stronger force. The collective strength of our people will ensure the success of our struggle.

LONG LIVE THE PEOPLE OF EAST TIMOR!

LONG LIVE THE INDIGENOUS PEOPLES OF THE CORDILLERA!

LONG LIVE THE STRUGGLE FOR LIBERTY AND JUSTICE!

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# Statement on the Asia-Pacific Conference on East Timor

**Council for People's Development**

**1 June 1994**

THE Council for People's Development (CPD), the coordinating center of 35 NGO networks engaged in various aspects of development work throughout the Philippines fully supports the Asia-Pacific Conference on East Timor.

We stand foursquare behind the efforts of the conference organizers and delegates to bring to light the human rights situation in East Timor. In expressing our solidarity with the struggle of the people of East Timor to defend their human rights we likewise affirm our commitment to uphold the basic civil and political as well as economic and social rights of the Filipino people.

We condemn in the strongest possible terms the Ramos government's attempts to stop the holding of the conference and to ban international human rights activists from participating in the forum. In curtailing freedom of speech and freedom of assembly, two basic freedoms enshrined in the Philippine Constitution, the Ramos government has demonstrated that its oft-repeated commitment to democratic principles and ideals is nothing more than pure rhetoric, to be invoked only for political expediency. In capitulating to diplomatic blackmail and outright pressure from Indonesia, a country whose own human rights record certainly leaves much to be desired, the Ramos goverment is sending a clear message that when push comes to shove, it will not hesitate to put human rights and democracy among the least of its priorities.

We urge the entire Filipino people to rally behind the legitimate struggle of the poeple of East Timor to defend their human rights. We likewise urge all freedom-loving peoples everywhere to demand a stop to Indonesia's blatant disregard for human rights in East Timor. We do so fully conscious that right here in the Philippines we must continue to be vigilant in protecting our basic human rights and prevent a return to authoritarian rule.

# Movement for People's Genuine Autonomy

1975 WHEN East Timor was invaded by the Indonesian government, it was also the height of genocide campaign of Marcos dictatorship against the Moro people in particular and the people of Mindanao in general.

The genocide campaign of Suharto and Marcos fascist regimes dragged the people to unimaginable suffering and death. While the East Timor people had lost 250,000 lives, the Moros on the other hand, had lost more or less 100,000 men, women and children. The terror that reigned these peoples pushed them to chaos and unfathomable suffering that would only heal after total liberation and freedom from the clutches of foreign domination, oppression and exploitation.

The struggle of the East Timorese is but parallel to the struggle of the Moro and Lumad (indigenous) peoples' for right to self-determination which has been suppressed and denied by the reactionary regimes of Indonesia and the Philippines in collaboration with the imperialist countries. The inherent and inalienable rights of these people to freely determine their political destiny and their prerogative to pursue their economic, social and cultural development have been trampled upon and have been subjected to overt and covert manipulations.

On the other hand, after the downfall of Marcos fascist regime and the subsequent installation of Aquino government, nothing had been changed to liberate the Moro and Lumad people. The issue of ancestral domain remained vague. Ironically though, it has been subjected to massive intrusion of government "development" projects and multi-national corporations. Though physical annihilation campaign against the Moro and Lumad peoples had gradually reduced, a new and subtle approach has been employed - that is ETHNOCIDE, a total assimilation of minority peoples into a wider politics to discredit the latter's right to ancestral domain claim and self-determination. Nonetheless, President Fidel Ramos, known to be the henchman of former dictator and engineer of the "Total War Policy" of the Aquino regime, has continued his predecessors' campaign to totally discredit, if not assimilate, the Moro and the indigenous people of Mindanao.

Furthermore, the Ramos regime, has once again, exposed its fascist, militarist and subservient tendencies as it has been dragged into the ploy of Indonesian government to prevent the holding of the Asia-Pacific Conference on East Timor (APCET) to appease its newly-found "partner", if not master, the Suharto regime. Sad to note however, that the current peace negotiation between the Philippine government and the Moro National Liberation Front (MNLF) which has been mediated by Indonesia has become the scapegoat to suppress the peoples' freedom of speech and assembly.

Likewise, the persistent effort of Suharto's regime to cease the holding of the conference exposes its double standard character. While the Indonesian government generously supported the GRP-MNLF talks, all-out military operations, massacres and other violations of human rights have been committed against the East Timorese. Even the Indonesian Islamic activists are not spared from the brunt of Suharto's fascist regime. They have been subjected to imprisonment, torture and execution for allegedly supporting the East Timorese independence movement.

In this connection, the Kilusan Para sa Tunay na Awtonomiya ng Bayan or KITAB (Movement for Peoples' Genuine Autonomy), a national federation composed of the Moro, Lumad and majority of Filipino peoples' organizations in Mindanao and Metro Manila, sincerely express and convey the following points:

1. KITAB recognizes the East Timorese as distinct people and nation. Hence it strongly opposes and condemns the annexation and genocide campaign of the Indonesian government against the peace-loving people of East Timor. In like manner, KITAB strongly condemns the Suharto regime for killing and imprisonment of Indonesian activists.
2. KITAB demands to the Indonesian government to unconditionally withdraw its armed forces from East Timor and calls the intervention of the United Nations and other international entities to bring back peace and independence in East Timor.
3. It calls and demands to President Fidel V. Ramos to sincerely push through the peace negotiation in Mindanao without necessarily condoning to the vested interests of foreign countries like Indonesia. Therefore, peace efforts must be grounded on the bases of true aspirations and participation of the peoples of Mindanao - the Moro, Lumad and majority of Filipinos.
4. And lastly, it strongly calls on the Moro National Liberation Front, Moro Islamic Liberation Front (MILF), Moro Revolutionary Organization (MRO) and other Moro and non-Moro patriotic and democratic forces to forge solidarity and partnership with the deprived, oppressed and struggling people of East Timor.

LONG LIVE THE EAST TIMORESE AND INDONESIAN PEACE-LOVING PEOPLE!

LONG LIVE THE MORO, LUMAD AND THE MAJORITY OF FILIPINOS!

UNITE AGAINST COLONIZATION AND OPPRESSION!

# National Democratic Front - Mindanao

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## Let a million fists be raised!
## Advance the struggle for liberation!

HISTORY has taught us that no amount of force and state repression can ever keep a people oppressed and chained forever. From all over the world, we can see the masses moving forward ever advancing towards breaking the chains of oppression and exploitation. The voices of the poor is no less louder than a thunder that signals the coming of a storm. Soon, we shall overcome!

Indeed the world is shocked. An emerging nation that has never been heard before has now posed a threat to the powers that for so long a time deprived them of their independence. The Indonesian government's threatening position and the Philippine government's weak-kneed adherence to the Indonesian pressures to the holding of the conference only manifest that the powerful are indeed weak. And they are unable to silence us.

Now the East Timorese struggle for national liberation has gained new heights. It has now become a people's agenda. This only shows what power and strength we can draw if we join hands together. When we people from all oppressed nations come together as we march towards freedom, much can be done.

To the East Timorese people and their liberation movement, we say, we are one with you in your struggle for independence because we share with you a common condition of repression and foreign intervention. We support you in your quest for your right to self-determination as we also strengthen our own Moro people and the Lumad people's struggle for the recognition of their right to chart their own destiny. Together we shall march towards freedom. Together we shall savor the sweetness of independence gained through the years of hard struggle.

Let a million fists be raised as we advance our struggle. Let a thousand voices be heard as we cry for genuine peace.

Long live East Timor!
Long live the Filipino, the Moro and
 the Lumad people!
Long live the struggle!

**(Sgd.) Daud Maliga**
*Spokesperson-National Democratic Front*
*Western Mindanao Region*

# STATEMENT OF SOLIDARITY FOR A FREE AND INDEPENDENT EAST TIMOR

**PARTIDO DEMOKRATIKO-SOSYALISTA NG PILIPINAS**

*31 May 1994*

ON this historic occasion of the Asia-Pacific Conference on East Timor (APCET) the **Partido Demokratiko-Sosyalista ng Pilipinas (PDSP)** reiterates its solidarity and support to the brave and freedom-loving people of East Timor. The PDSP's commitment for a free and independent East Timor dates back to the early 1980's when the PDSP itself was campaigning for Philippine democracy against the Marcos dictatorship. During those times, Philippine and East Timor freedom fighters have mutually supported each other's efforts to gain international recognition for our just causes. The PDSP has not forgotten those days, unlike those in this supposedly Christian democratic government. In its 1990 National Congress, the PDSP:

"CONDEMN(ED) the continuing violations of the human rights and the destruction of the cultural identity of the people of East Timor, as well as the expansionist designs of the Indonesian government...,"

The PDSP, a member of the global community of Democratic Socialists and Social Democrats through the Socialist International (SI), calls on all freedom-loving individuals and organizations in the Philippines and in the world to continue supporting the just struggles of the people of East Timor. The PDSP likewise calls for stronger United Nations action against the illegal occupation of East Timor by the Indonesian government. The PDSP calls on democracy-loving countries to apply various forms of diplomatic, political and economic sanctions to force Indonesia to desist from its colonialist occupation of East Timor. The PDSP, likewise, expresses support and solidarity for all forces of democracy within Indonesia in their struggle against the Suharto military dictatorship.

Even as the PDSP calls for a free and independent East Timor, it is aware that Philippine democracy itself is being threatened by the actuations of the Ramos Administration in its effort to prevent the holding of this Conference upon the instigation of the Indonesian government. Using police-state tactics thinly disguised as legal and Constitutional measures, the Ramos Administration has been harassing Conference organizers and participants and has taken measures to physically prevent the holding of the Conference. It has banned the participation of foreign delegates. It has subverted the Philippine judicial process by instigating a judge of a regional trial court (who is a known Ramos protege) to abuse his discretion by issuing a temporary restraining order to halt the Conference. It has given in to Indonesian diplomatic and economic blackmail and in the process has eroded Philippine democracy and sovereignty.

The PDSP condemns all actuations of the Ramos government to prevent the holding of this Conference as violative of the Philippine Constitution; these actuations erode the democratic gains of the Philippine people. The PDSP condemns the Indonesian government for its diplomatic and economic blackmail against the Philippines. The PDSP especially condemns the Indonesian government for holding innocent Philippine fishermen hostage for its colonialist agenda. The PDSP deplores the Ramos administration's giving in to the Indonesian government's blackmail as a dimunition of Philippine sovereignty.

The PDSP, thus, calls upon all democratic forces in the Philippines to actively resist the Ramos Administration's anti-democratic actions today and in the future. Philippine democracy is too precious for us to do otherwise than vigilantly defend it. The PDSP, likewise, calls for solidarity for the preservation of Philippine democracy.

**FREE EAST TIMOR!**

**DEFEND PHILIPPINE DEMOCRACY AND SOVEREIGNTY!**

**(Sgd.) Rolando G. Librojo**
*General Secretary*

*Pasig Masigasig Jaycees*

# A Statement of Solidarity to the Asia-Pacific Conference on East Timor

**01 June 1994**

"BROTHERHOOD of men transcends the sovereinty on nations", thus says the second tenet of the Jaycee Creed. In recognition of this universal truth, we, the Pasig Jaycees express our solidarity with all peoples especially with the struggle for liberation of the people of East Timor. Not only because like us, East Timorese are predominantly Catholic but more so because they are only a minority - some 400,000 people in a small island struggling for independence from Indonesia, the 5th largest country in the world.

"That government should be of laws rather than of men." We commend the decision of the Supreme Court allowing the conference to proceed. The APCET gathers together representatives from institutions, NGO's, governments, and individuals across Asia-Pacific including Indonesia who tirelessly work for world peace. They are here to find ways to put an end to the sufferings of the people of East Timor.

No conference can overthrow a government. If Indonesia were confident of its legitimacy as a true representative of the East Timorese, why the bullying tactics in pressuring Ramos government to ban foreign and local delegates to the conference?

"National interest" is again invoked by the government. But what is more dangerous than the President of the Republic finding it more convenient to subjugate the inherent freedoms of its own people in order to appease another nation? Rather than respect the right of speech and freedom of assembly, Pres. Ramos dismissed these in the wider interests of ASEAN and the East Asian Growth Area.

But is not the protection of human rights for the interest of ASEAN and all peoples of East Asia? As Christians, we cannot simply stay in the sidelines as silent accomplices to the death of East Timor as a nation. For if Indonesia violated, and continues to deprive the East Timorese of their basic human rights, then we ask ourselves — Is it worth doing business with this country? What guarantee can we get that they will treat Filipino tourists or workers any better?

If our government continues to support a government who flagrantly violates human rights, how can we then, as a people continue to claim these rights?

Human rights have no borders. They are inherent and inalienable to man — and should be upheld by all governments, all nations and all men, if we are to call ourselves "human".

**VIVA EAST TIMOR !!!**

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**Redemptorist Community**
P.O. Box 280
Cebu City 6000
Philippines

# To the Organizers and Delegates of the Asia Pacific Conference on East Timor

SINCERE congratulations on your commitment and zeal for the rights and lives of the people of East Timor.

We were deeply moved by the human concern and sacrifices you made to bring the cry of the East Timor people for the right of self-determination to the world.

We see the participation of the Filipino delegates in the conference as an act of thanks and gratitude for the support of the international community when we suffered and died under the Marcos regime. Naturally, our Redemptorist confrere, Fr. Rudy Romano, a desaparecido, comes to mind.

In unity with the poor and oppressed members of our human family, we remain...

Fraternally yours,

**(Sgd.) Fr. Frank Connor, CSsR**
*Coordinator*
*Justice and Peace Desk*
*Redemptorists, Cebu*

Endorsed by:

**(Sgd.) Fr. Abdon Ma. Josol, CSsR**
*Vice Provincial Superior*

University of the Philippines
Diliman, Quezon City

# State versus People

### Sandigan para sa Mag-aaral at Sambayanan

THE suppression of freedom is the gravest crime a state can commit against the very people it has sworn to serve. and this is precisely what the Ramos government has chosen to stand by in the light of the Asia-Pacific Conference on East Timor.

The Ramos government has opted to succumb to the whims and pressures of the Indonesian Government and infringe the right of the people to speech and assembly. It has gone through legal ways and means to ban foreign delegates. it issued a court injunction stopping the Conference from pushing through. And it will readily use its military force just to meet its ends.

The Ramos Government reasoned that it is doing so to protect and advance national interest. It reasoned that the Conference will endanger Philippine-Indonesia relationship. It failed to see that the primary interest of a country is the preservation and advancement of the freedom rightfully won by its people. Whose national interest the Ramos Government seeks to pursue, is clearly not that of the Filipino people.

For it is this government that bowed down to the demands of another country. It is this government that sold out the coun try's interest and integrity. It is this government that encroaches the freedom of its own people.

The ultimate culmination to this kind of rule will be left to history. For the wrath of the people will be judged to a state that defies its own.

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# A Message of Solidarity to the People of East Timor from Small Filipino Fisherfolk (who are also victims of Indonesia's cruelty)

WE, the small fisherfolk living in the coastal barangays of General Santos City, South Cotabato, Mindanao, join hands with our brothers and sisters in East Timor who are waging a just struggle for independence against the cruel reign of Indonesia.

Like the East Timorese, we have also felt the sorrow of being deprived of a father, a son, or a brother by Indonesian authorities.

As of this minute, we have documented the cases of more than 50 Filipino fisherfolks languishing behind Indonesian jails, receiving neither protection from our government nor due process from their captors.

Most of them have been brutally treated during their first months in captivity. Most of them have been tortured; forced to shave off their hair; lie naked on cold, concrete floors; subjected to hard labor; fed with nothing but bananas and ice candy for weeks.

Indonesian authorities claim that these fisherfolks were captured within their border, but our detained loved ones claimed that they were hauled off, oftentimes at gunpoint, while fishing within international water.

We know only of one crime that they have committed, and that is they tried to eke out a living in this poverty-stricken land.

To break the apparent neglect and inaction by the Philippine and Indonesian governments to the plight of these poor fisherfolks, we, the family members of the detainees, and some former detainees of Indonesia, have banded together in an organization which we now call MANGINGISDANG LUPON PARA SA MGA IPINIIT NA KABABAYANG PILIPINO SA INDONESIA or MALUPIT KA - INDONESIA (Committee on Filipino Fisherfolks Detained in Indonesia).

Together, with our brothers and sisters in East Timor, we raise our voices against this Asian bully, Indonesia, and we shout:

Stop this cruelty,

and Let Our People Go!

**Signed by 1,600 members of MALUPIT KA - INDONESIA**

# Asia-Pacific Conference on East Timor (APCET)

# *List of Convenors*

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**National Council for Maubere Resistance (CNRM)** - The umbrella organization of East Timorese resistance groups, which counts among its members Fretilin and UDT, major Timorese political parties.

**People's Plan for the 21st Century (PP21)** - A loose formation of Asia-Pacific NGOs, political organizations, sectoral movements and personalities in forging a people's agenda for the 21st century.

**Asian Cultural Forum for Development (ACFOD)** - A non-governmental organization that initiates programs on South-South solidarity and cultural exchanges.

**Law Asia-Human Rights Standing Committee** - Composed of Asian jurists and lawyers concerned with human rights in Asia. Former Philippine Supreme Court Chief Justice Marcelo Fernan is its president.

**Parliamentarians for East Timor** - Led by Lord Eric Avebury of the House of Lords, PET is composed of legislators from Japan, Australia and Europe who advocate the right of the Timorese people to self-determination.

**International Platform of Jurists for East Timor (IPJET)** - Based in Leiden, Netherlands, IPJET is the organization of lawyers and jurists that supports the struggle of the Timorese people.

**International Forum for East Timor** - This is the forum of various solidarity groups from all over the world on the East Timor issue.

**Oporto University** - Established Portuguese academic institution and host of the yearly international symposium on East Timor.

**Servizio Civile Internationale** - Italian-based volunteer groups of Europeans that advocates various progressive and humanitarian causes.

**Asian Council for People's Culture** - A network of progressive cultural workers and artists in Asia that provides trainings and other services in the cultural field.

**TAPOL** - London-based Indonesian human rights campaign.

**British Council for East Timor (BCET)** - An organization of British advocates of East Timorese struggle for self-determination.

**East Timor Action Alert Network (ETAN)** - Composed of Americans and Canadians that actively supports the East Timorese people.

## Philippine Convenors Group

**Renato Constantino, Jr.**
*Chair*

**Atty. Sedfrey Candelaria**
*Vice-Chair*

**Augusto N. Miclat Jr.**
*Coordinator*

**Secretariat:** **Initiatives for International Dialogue (IID)**

**Legal Counsel:**
**Atty. Alex Padilla**

## Members

**Ateneo Human Rights Center**

**Bukluran para sa Ikauunlad ng Sosyalistang Isip at Gawa (BISIG)**

**Council for National Freedom and Democratic Rights (Confreedem)**

**Ecumenical Bishops' Forum (EBF)**

**Initiatives for International Dialogue (IID)**

**Lean L. Alejandro Foundation (LLAF)**

**Moro Human Rights Center (MHRC)**

**Movement for Popular Democracy (MPD)**

**Partido Demokratiko - Sosyalista ng Pilipinas (PDSP)**

**Consortium for People's Diplomacy**

**Philippine Council for International Solidarity and Peace (PCISP)**

**Sandigan ng Lakas at Democrasya ng Sambayanan (Sanlakas)**

**Siglo ng Paglaya (Siglaya)**

**University of the Philippines Student Council**

**Women's Legal Bureau (WLB)**

# Foreign Delegates to APCET

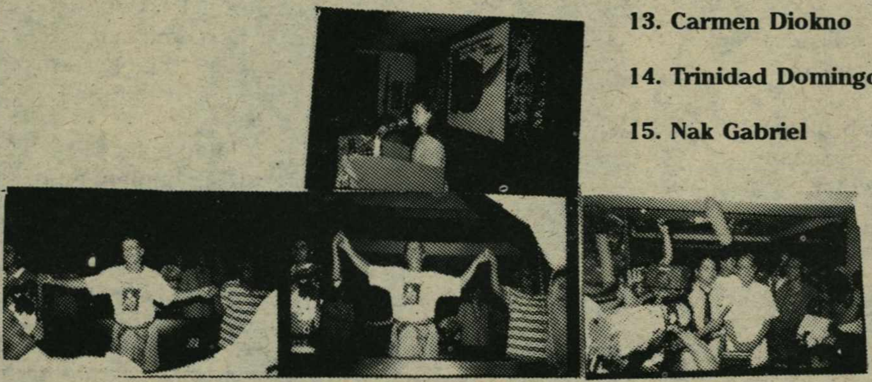
| Name | Organization Country/Base |
|---|---|
| **1. John Collins** | Nuclear Free Independent Pacific (NFIP)-West Papua<br>Australia |
| **2. Max Lane** | University of Wollongong<br>Australia |
| **3. Graham Pitts** | Writer/Journalist<br>Australia |
| **4. Riki Stevens** | NFIP-West Papua<br>Australia |
| **5. Rob Wesley-Smith** | Australians for a free ET<br>Australia |
| **6. Kevin McBride** | Executive Secretary<br>Pax Christi - Aotearoa<br>Aotearoa |
| **7. Rajan Bhattarai** | Secretary, Asian Stud Assoc.<br>Nepal/Hong Kong |
| **8. Chua, Tian Chang** | Publication Coordinator<br>Asia Monitor Resource Center, Hong Kong |
| **9. Hai, Sire Ying** | Asian Cultural Forum on Development<br>Hong Kong/Australia |
| **10. Martin Wesley-Smith** | Australia/HK |
| **11. Peter Wesley-Smith** | Dean, College of Law<br>University of Hong Kong<br>Australia/HK |
| **12. Sharon Scharfe** | East Timor Alert Network<br>Paliamentarians for ET (PET) Canada |
| **13. Aboepriyadi Santoso** | Radio Netherlands, Indonesian Service<br>Indonesia/Holland |
| **15. Pedro Pinto Leite** | Secretary-General, Int'l Platform of Jurists (IPJET)<br>Portugal/Holland |
| **16. Marcelo Ferreira** | Executive Secretary<br>Int'l Union of Students<br>Argentina/Holland |
| **17. Jean Inglis** | Int'l Federation for ET, Free ET Japan Coalition - US/Japan |
| **18. Chihiro Sato** | Yokohama Int'l HR Center<br>Japan |
| **19. Aloisius Nobuo Soma** | Bishop Emeritus<br>Japanese Catholic Council for Justice and Peace<br>Japan |
| **20.Junsuke Sugito** | Chairman, Yokohama Int'l Human Rights Center - Japan |
| **21. Kaori Yoshikawa** | Yokohama Int'l HR Center<br>Japan |
| **22. Yong Wan Cho** | Publication Sec., Minbyun -Lawyers for Democratic Soc.<br>Korea |
| **23. Suat Yan Lai** | Coordinator, Suara Rakyat Malaysia (Suaram)<br>Malaysia |
| **24. James Wong Weng On** | Nat'l Publicity Sec., Democ. Action Party Socialist Youth<br>Malaysia |
| **25. Rachland Nashidik** | PIJAR<br>Indonesia |
| **26. Triagus Siswowidardzo** | PIDAR<br>Indonesia |
| **27. Shambhu Chopra** | President, IPJET<br>India |
| **28. Parma Ratna Tuladhar** | House of Representatives<br>Parliament of Nepal<br>Nepal |
| **29. Luisa Teotonio Pereira** | Int'l Platform of Jurists for East Timor<br>Portugal |
| **30. Saskia Kouwenberg** | Free-lance Journalist<br>Holland/Australia |
| **31. Boonthan Verawongse** | |
| **32. Mardi Mapa-Suplido** | Asian Cultural Forum for Development (ACFOD)<br>Thailand |

## Foreign Delegates to APCET

| Name | Organization<br>Country/Base |
|---|---|
| | Int'l Executive Committee Member, Amnesty International Philippines/U.K. |
| **33. Catherine Scott** | Desk Officer for Asia, Catholic Institute for International Relations U.K. |
| **34. Max Stahl** | Director, Producer Central Productions Ltd. - U.K |
| **35. Charlie Scheiner** | Coordinator, East Timor Action Network U.S.A |
| **36. Ceu Brites** | ET Relief Assoc. (ETRA) ET/Australia |
| **37. Paulino Gama** | The Timorese Int'l Secretary for HR and Timorese Prisoners Fraternity ET/Netherlands |
| **38. Ines Almeida** | Assistant Executive Director ET Relief Assoc. (ETRA) ET/Australia |
| **39. Samy Doray Sinapan** | Researcher, Asian Center for the Progress of Peoples /HK |
| **40. John Ondawane** | Free Papua Movement West Papua |

## Philippine Delegates

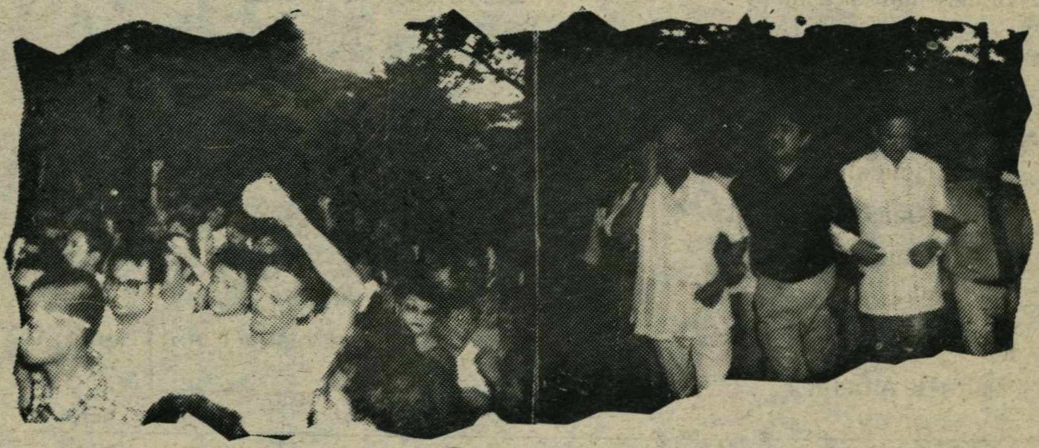
| Name | Organization |
|---|---|
| **1. Mario Rowil Aguillon** | Program Coordinator, Rural Missionaries of the Philippines |
| **2. Myrna Alejo** | Institute for Popular Democracy |
| **3. Jenel Almoro** | Ateneo Human Rights Center |
| **4. Teresita Alon** | Sanctuary Desk, AMRSP |
| **5. May Alonsagay-Rodrigo** | Ateneo Human Rights Center |
| **6. Manolita Antoja** | Researcher, Pop. Educ. for People's Power |
| **7. Encarnita Balayon** | Education Forum |
| **8. Lyma Balderama** | National Urgent Action Coordinator Amnesty International - Philippine Section |
| **9. Roland Cabigas** | Deputy Head, External Relations Office, Phil. Rural Reconstruction Movement (PRRM) |
| **10. Atty. Eleanor Conda** | Women's Legal Bureau |
| **11. Dr. Randy David** | Political Council, BISIG' |
| **12. Vivian De Lima** | Solidaridad Foundation |
| **13. Carmen Diokno** | Jose Diokno Foundation |
| **14. Trinidad Domingo** | KABAPA |
| **15. Nak Gabriel** | LEAD |



# Philippine Delegates to APCET

| Name | Organization |
|---|---|
| **16. Cris Caerlan** | ALFATIHA |
| **17. Chat Garcia-Ramilo** | Vice-President, People's Council for International Solidarity (PCISP) |
| **18. Haniel Garibay** | Coordinator, Int'l Affairs Program Unit-NCCP |
| **19. Bishop Gabriel Garol** | Chairperson, Ecumenical Movement for Justice and Peace, Inc. |
| **20. Dorothy Guerrero** | National Executive Council Member Movement for Popular Democracy |
| **21. Ida Denise Giguiento** | Executive Director, Kalikasan Services Inc. |
| **22. Eric Guitterez** | Institute for Popular Democracy |
| **23. Amelita E.L. Jaim** | Projects Coordinator, Ecumenical Movement for Justice and Peace - Western Mindanao |
| **24. Atty. Cecilia Jimenez** | Legal Officer and Head, International Dept., PAHRA |
| **25. Nancy Jouwe** | Cordillera People's Alliance |
| **26. Carmencita Karagdag** | Coordinator, Consortium for People's Diplomacy |
| **27. Abba Kuaman** | PDFI |
| **28. Ma. Theresa Lacerna** | Ateneo Human Rights Center |
| **29. Romel Lalata** | Lean Alejandro Foundation |
| **30. Rolando Librojo** | PDSP |
| **31. Sr. Cresencia Lucero** | Executive Director, Task Force Detainees of the Philippines |
| **32. Meyan Mendoza** | Movement for Popular Democracy |
| **33. Dolores Mendoza** | Lean Alejandro Foundation |
| **34. Marilyn Negapatan** | Administrative Asst., Ecumenical Bishops Forum |
| **35. Nicolas Fortunato Jr.** | Caucus of Development NGO Networks |
| **36. Adele Noble** | Sec.-General, Assembly for Mindanao Concerns |
| **37. Praxedes Ocay** | Cebu HR and Peace Alliance |
| **38. Helen Ojario** | AMRSP - JPC |
| **39. Will Ortiz** | Local and Int'l Campaigns, Salinlahi Foundation |
| **40. Peter Panagsagan** | Acting Executive Director, Centre for Research and Assistance to Farmers and Fisherfolks |
| **41. Romulo Peralta** | Coordinator - Peace, Disarmament and Symbiosis in the Asia Pacific (PDSAP) |
| **42. Cheryl Phalasol** | Lanao Partnership for Human Dev. |

| Name | Organization |
|---|---|
| **43. Kalayaan Pulido** | SANLAKAS |
| **44. Richard Punzalan** | DSU |
| **45. Sis. Mary Radcliffe** | Task Force Detainees of the Phil. |
| **46. Marge Rayondayan** | ACE Association |
| **47. May Rodrigo** | Ateneo Human Rights Center |
| **48. Cathy Rojas** | |
| **49. Ruben Quetasol** | |
| **50. Ellene Sana** | Secretary, Peoples's Council for International Solidarity and Peace (PCISP) |
| **51. Arno Sanidad** | Regional Council for Human Rights |
| **52. Flora Santos** | SSI |
| **53. Ging Santos** | SARILAYA |
| **54. Luzviminda Santos** | Officer-in-Charge, People's Global Exchange |
| **55. Atty. Rene Sarmiento** | Council of Leaders, PAHRA |
| **56. Victor Serrapica** | PDSP |
| **57. Evelyn Balais-Serrano** | Secretary-General, PAHRA |
| **58. Prof. Peter Sy** | Acting Chairperson, Dept. of Philosophy and Religion, Silliman University |
| **59. Ed Togonon** | Diocesan Clergy of Mindanao |
| **60. Alex Tombokan** | Lanao Community Development Network |
| **61. Tonet Tanchuling** | SEA Regional Institute for Community Education |
| **62. Xenia Tupaz** | |
| **63. Pros Urbano** | Ateneo Human Rights Center |
| **64. Maria Theresa Vargas** | Task Force Detainees of the Phil. |
| **65. Lita Velmonte** | Pax Christi - Philippines |
| **66. Sr. Elvira Valenzuela** | Int'l Solidarity Relations Officer, Promotion of Church Peoples' Rights |
| **67. Prof. Edberto Villegas** | UP Manila |
| **68. Mary Jane Zantua** | Ateneo Human Rights Center |



# List of Participants Blacklisted by the Bureau of Immigration and Deportation

✈ actually deported ✽ attended the conference ☝ **allowed entry**

1. Marcos de Orleaes
2. Francisco Fernandez
3. Rogerio Lobato
4. Mateus Brito Ximenes
5. Ventura Valentim
6. Clemento Faria
7. Mari Alkatiri
8. Thomas Hyland ✈
9. Susan Castillo ✈
10. Mairead Maguire ✈
11. Michel Robert ✈
12. Walatara Sobhita ✈
13. Jose Alberto Costa
14. Zacarias da Costa
15. Joao Carrascalao
16. Liem Siou Liong
17. Jose Gutierrez
18. Juan Federer
19. Jose Amorin ✈
20. Sidney Marcus Dias ✈
21. H.L.C. Princin
22. Robert Wesley Smith ✽
23. Peter Wesley Smith ✽
24. Oscar Goncalves da Silva
25. Siri Suguna Dodamphala ✈
26. Abilio Araujo
27. Jose Alberto de Azeredo
28. Jose Martins
29. Zafiro de Ameral
29. Freddy Christo Apphuhamy Gamage ✈
30. Jose Ramos Horta
31. Bishop Hilton Deakin
32. Florencio Anunciacio Fernandez
33. Profirio da Costa Oliviera
34. Jose Manuel de Oliviera Sousa
35. Carmel Budiardjo
36. Jose Gueta
37. Bishop Paul Moore
38. Arief Budiman
39. Carlos Candao
40. George Aditjondro
41. Harold Mucho ✈
42. Luisa Pereira ✽
43. Agio Pereira ✽
44. Marcelo Pereira ✽
45. Charles Scheiner ✽
46. Maxwell Lane ✽
47. Sharon Scharfe ✽
48. Shambu Chopra ✽
49. Pedro Pinto Leite ✽
50. Saskia Kouwenberg
51. Abdurrahman Wahid
52. Bishop Finnau (deceased)
53. Manil Rathmayahe ✈
54. Ferreira Lopes ✈
55. Henry Arthur Fernando
56. **Bishop Aloisius Nobuo Soma** ☝

## *Temporary Restraining Order (TRO)*

REPUBLIC OF THE PHILIPPINES
REGIONAL TRIAL COURT
NATIONAL CAPITAL JUDICIAL REGION
BRANCH 216, QUEZON CITY

PHILIPPINES-INDONESIA FRIENDSHIP
SOCIETY (PHILINDO), INC., and
JOSE S. LAUREL III,
PETITIONERS,

- versus -

CIVIL CASE NO. Q-94-20672

RENATO CONSTANTINO, JR. in
his capacity as Chairperson,
Philippine Convenor's Group,
Asia-Pacific Conference on
East Timor (APCET), AUGUSTO
N. MICLAT, JR., in his capacity
as Coordinator, APCET,
EMIL JAVIER in his capacity
as President, University of the
Philippines, DR. PACIFICO A. AGABIN,
in his capacity as Dean, College
of Law, University of the Philippines,

For: Injunction, preliminary
Injunction with
Prayer for the Issuance
of a Temporary Restraining Order.

Respondents.

x———————————————————————x

**ORDER**

A verified complaint for injunction with prayer for the issuance of temporary restraining order having been filed and finding the same sufficient in form and substance, a temporary restraining order is hereby issue

"1. Directing and ordering respondents Javier and Agabin and all persons acting under their orders, directions, instructions or control and/or in their behalf, not to allow their co-respondents Constantino, Jr., Miclat, Jr. and their collaborators, cohorts and associa-tes and all persons and organizations acting under their orders, direction, instructions or control and/or in their behalf or fortheir benefit - whether they be Filipino citizens or foreing nationals - to use the premises, grounds and facilities of the University of the Philippines as venue for the Asia-Pacific Conference on East Timor (APCET) scheduled on May 30 or May 31 up to June 4, 1994;

2. Enjoining and restraining respondents Constantino, Jr., Miclat, Jr. and their collaborators, cohorts and associates and all persons or oganizations acting under their orders, direction, instructions or control and/or in their behalf or for their benefit -whether they be Filipino citizens or foreign nationals - from, carrying out or implementing their plan to hold said conference or in any way participate therein, from May 30 or May 31, 1994 up to June 4, 1994 or any date thereafter, whether the venue be within or outside the premises of the University of the Philippines."

effective for twenty (20) days. Meantime, the question on whether a preliminary injunction should issue is hereby scheduled on June 10, 1994 at 8:30 A.M., on which date, the defendant may give cause or evidence why said preliminary injunction should not issue.

Let a copy of this order, summons and complaint be furnished upon the defendants as the expense for the plaintiff.

SO ORDERED.

Quezon City, Metro Manila, May 26, 1994.

(Sgd.) MARCIANO I. BACALLA
*Judge*

## *Petition for Certiorari to overturn the TRO*

REPUBLIC OF THE PHILIPPINES
SUPREME COURT
MANILA

PACIFICO A. AGABIN, SEDFREY M.
CANDELARIA and CARLOS P. MEDINA, JR.

Petitioners,

- versus -

G. R. NO. 115390
(Civil Case No. Q-94-20672 for
Regional Trial Court of Quezon
City, Branch 216

HONORABLE MARCIANO I. BACALLA,
PRESIDING JUDGE, REGIONAL TRIAL
COURT, BRANCH 216 NATIONAL CAPITAL
JUDICIAL REGION, QUEZON CITY &
PHILIPPINES-INDONESIA FRIENDSHIP
SOCIETY & JOSE S. LAUREL III

Respondents.

x ——————————————————————x

PETITION FOR CERTIORARI
WITH PRAYER FOR THE ISSUANCE
OF A TEMPORARY RESTRAINING ORDER/
PRELIMINARY INJUNCTION

PETITIONERS, Pacifico Agabin, Sedfrey Candelaria and Carlos P. Medina, Jr., by undersigned counsel, to this Honorable Supreme Court, respectfully state:

### PREFATORY STATEMENT

> "And as the late Justice Oliver Wendell Holmes stated in the cause of U.S. vs. Schwimmer, 279 U.S. 644, "x x x if there is any principle of the Constitution that more imperatively calls for attachment than any other it is the principle of free thought — not free thought for those who agree with us but freedom for the thought that we hate".

Those are the words of this Honorable Supreme Court in Salonga vs. Pano, 134 SCRA 438, 458 where this august Tribunal, in one of its shining moments during the dark days of the Marcos regime, denounced the repressive actions of the dictatorial government in attempting to stifle the inherent right of a citizen to free speech, expression and assembly.

Today that we claim to have gained our democracy, should this Honorable Court allow such cherished freedoms to be unduly curtailed and unabashedly diminished?

Twenty years after the declaration of Martial Law, this Court had occasion again to highlight the fundamental and basic rights to free speech and expression:

"All of the protections expressed in the Bill of Rights are important but we have accorded to free speech the status of a preferred freedom. (Thomas v. Collins, 323 US 516, 89 L. Ed. 430 (1945); Mutuc v. Commission on Elections, 36 SCRA 228 (1970)

"This qualitative significance of freedom of expression arises from the fact that it is the matrix, the indispensable condition of nearly every freedom. (Palko v. Connecticut 302 U.S. 319 (1937); Salonga v. Pano, 134 SCRA 438 (1985). It is difficult to imagine how the other provisions of the Bill of Rights and the right to free elections may be guaranteed if the freedom to speak and to convince or persuade is denied and taken away.

"We have adopted the principle that debate on public issues should be uninhibited, robust, and wide open and that it may well include vehement, caustic and sometimes unpleasantly sharp attacks of government and public officials. (New York Times Co. v. Sullivan 376 U.S. 254, 11 L. Ed 2d 686 (1964); cited in the concurring opinion of then Chief Justice Enrique Fernando in Babst v. National Intelligence Board, 132 SCRA 316 (1984) x x x (BLO UMPAR ADIONG V. COMMISSION ON ELECTIONS, G.R. No. 103958, March 31, 1992)

With these brilliant jurisprudence set by this Honorable Court, it is hard to believe that this instant petition is being filed to contest a repressive order from the trial court which arbitrarily curtailed the petitioners' rights to free speech and assembly on the basis of neither an irreparable injury nor an apparent one because as this petition will show, there is no injury whatsoever that the private respondents will suffer because they have no legal standing and no clear right in the first place upon which to premise their alleged injury.

Again, this instant case puts in issue the exercise of the very same human and constitutional rights. But, instead of the executive department seeking to prevent the legal exercise of such rights, private persons, both natural or juridical, have sought to prevent the same. The certainty of their attempt to stifle the petitioners' human and constitutional rights has even been made more dangerously imminent by a fundamentally infirm restraining order issued by the court a quo on the basis of a petition which is equally infirm. The assailed order is clearly a case of prior restraint.

Even the President of the Philippines, with his awesome police powere, did not totally prohibit the constitutional holding of the subject conference. How then could private individuals and the court arrogate unto themselves the determination of the holding or non-holding of an assembly of people whose only intention is to legitimately express their ideas?

Hence, petitioner seeks the nullification of the temporary restraining order issued by the public respondent as it was issued without jurisdiction or in excess of jurisdiction and in grave abuse of discretion on the following grounds:

1.) PRIVATE RESPONDENTS HAVE ABSOLUTELY NO LEGAL STANDING TO PREVENT THE HOLDING OF THE MEETING OR CONFERENCE;

2.) EVEN GRANTING FOR THE SAKE OF ARGUMENT THAT THE PRIVATE RESPONDENTS PETITION IN THE LOWER COURT IS TOO INFIRM AS TO WARRANT THE ISSUANCE OF A TEMPORARY RESTRAINING ORDER AND THEREFORE THE SAME IS NULL AND VOID;

3.) THE ASSAILED 20-DAY TEMPORARY RESTRAINING ORDER IS NULL AND VOID CONSIDERING THAT IT, IN EFFECT, IS TANTAMOUNT TO AN ORDER COMPLETELY PREVENTING THE HOLDING OF THE CONFERENCE;

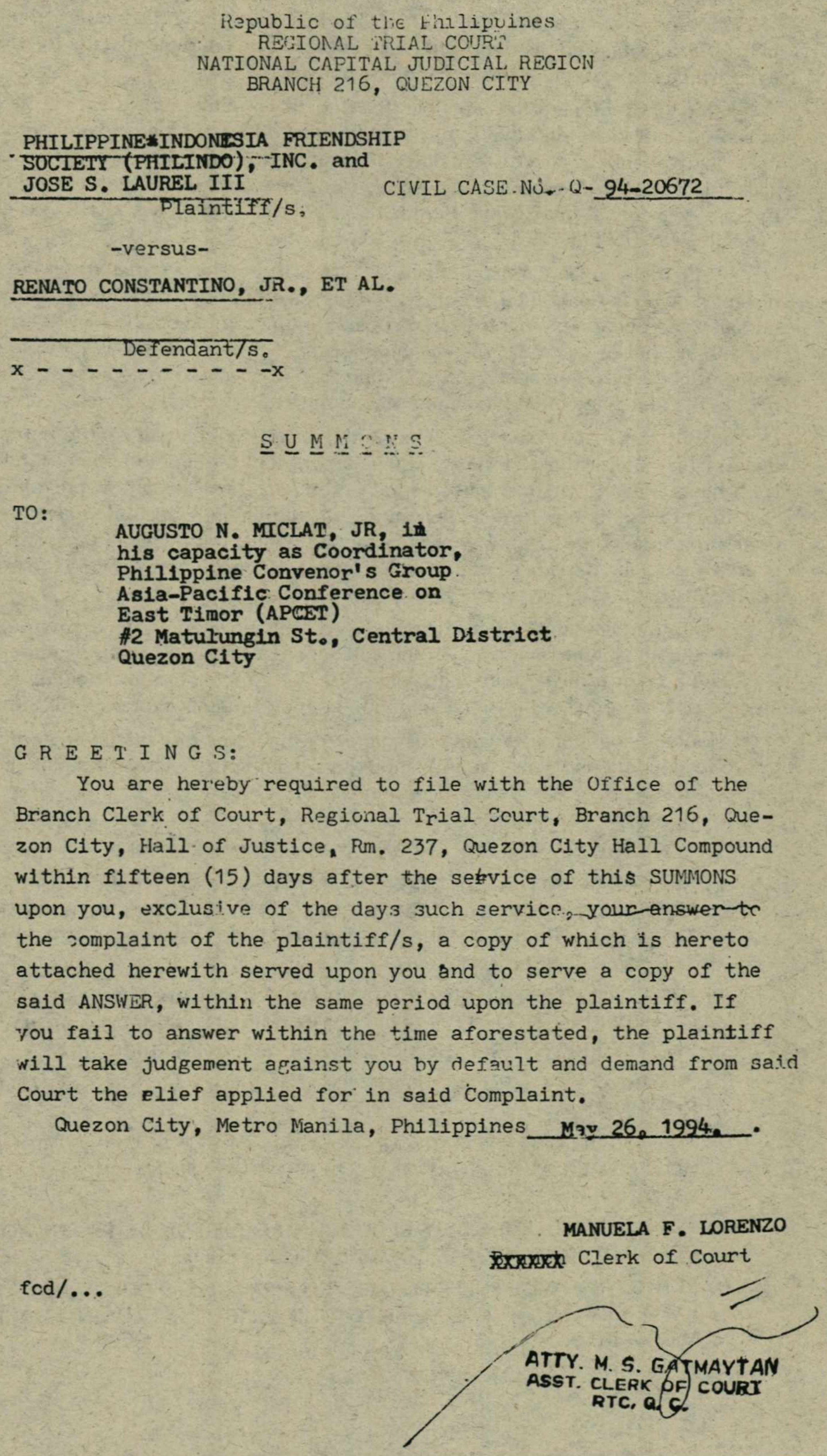
4.) THE ASSAILED TEMPORARY RESTRAINING ORDER IS A CLEAR CASE OF PRIOR RESTRAINT;

5.) THE ASSAILED TEMPORARY RESTRAINING ORDER IS VIOLATIVE OF THE GOVERNMENT'S OBLIGATION UNDER INTERNATIONAL HUMAN RIGHTS LAW; and

6.) THE ASSAILED TEMPORARY RESTRAINING ORDER VIOLATES PETITIONERS' CONSTITUTIONAL RIGHTS TO ACADEMIC FREEDOM.

7.) PETITIONERS WILL SUFFER GRAVE AND IRREPARABLE INJURY SHOULD THE ENFORCEMENT OF THE ASSAILED TEMPORARY RESTRAINING ORDER BE MAINTAINED.

## *Copy of Court Summons to Answer TRO*



Republic of the Philippines
REGIONAL TRIAL COURT
NATIONAL CAPITAL JUDICIAL REGION
BRANCH 216, QUEZON CITY

**PHILIPPINE-INDONESIA FRIENDSHIP**
**SOCIETY (PHILINDO), INC. and**
**JOSE S. LAUREL III**
Plaintiff/s,

CIVIL CASE NO. Q- 94-20672

-versus-

**RENATO CONSTANTINO, JR., ET AL.**

Defendant/s.
x - - - - - - - - - - -x

SUMMONS

TO:

**AUGUSTO N. MICLAT, JR, in**
**his capacity as Coordinator,**
**Philippine Convenor's Group**
**Asia-Pacific Conference on**
**East Timor (APCET)**
**#2 Matulungin St., Central District**
**Quezon City**

GREETINGS:

You are hereby required to file with the Office of the Branch Clerk of Court, Regional Trial Court, Branch 216, Quezon City, Hall of Justice, Rm. 237, Quezon City Hall Compound within fifteen (15) days after the service of this SUMMONS upon you, exclusive of the days such service, ~~your answer to~~ the complaint of the plaintiff/s, a copy of which is hereto attached herewith served upon you and to serve a copy of the said ANSWER, within the same period upon the plaintiff. If you fail to answer within the time aforestated, the plaintiff will take judgement against you by default and demand from said Court the relief applied for in said Complaint.

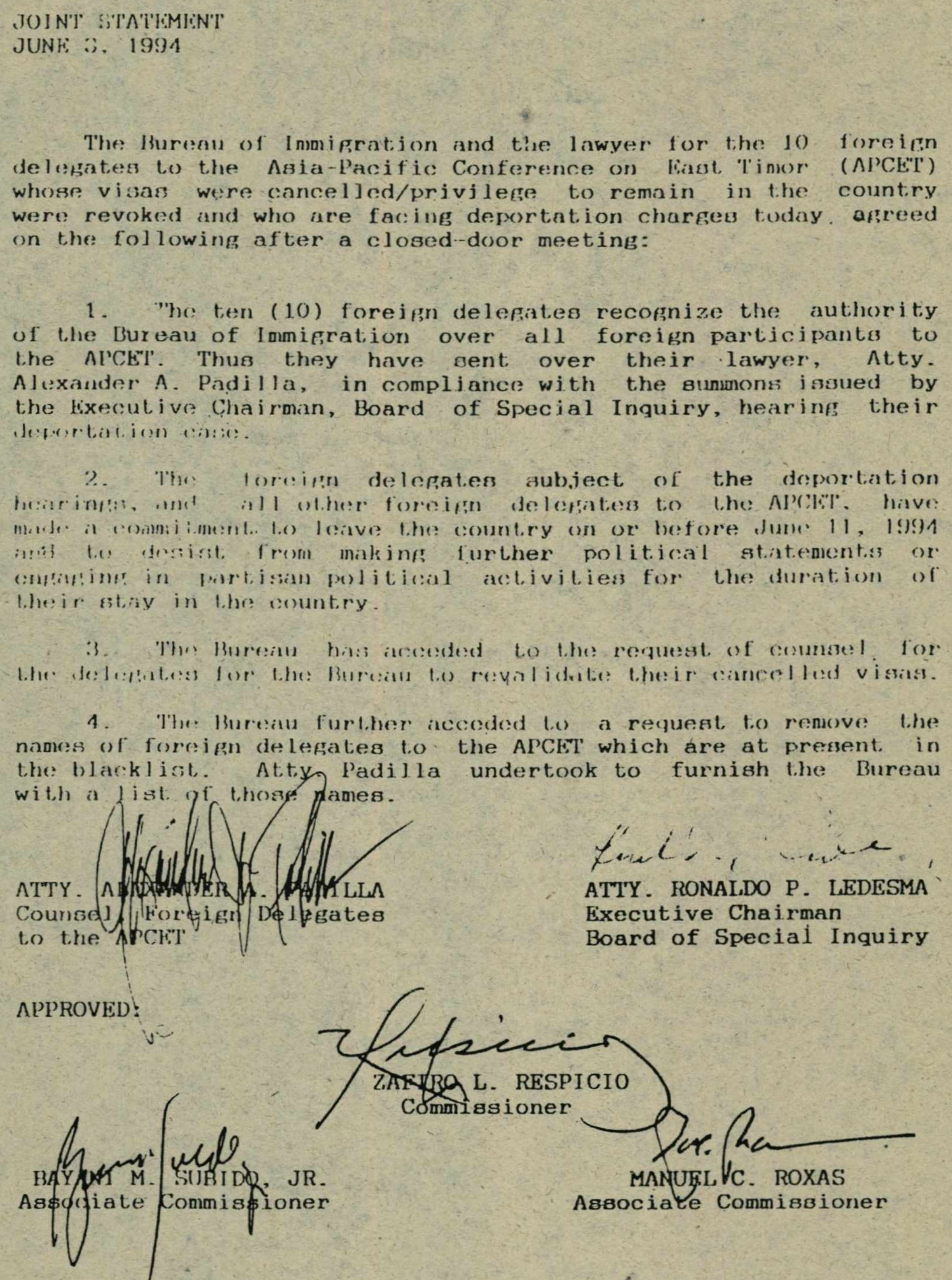
Quezon City, Metro Manila, Philippines May 26, 1994.

**MANUELA F. LORENZO**
xxxxxx Clerk of Court

fcd/...

ATTY. M. S. GATMAYTAN
ASST. CLERK OF COURT
RTC, Q. C.

## *Agreement Forged by APCET Counsels with the Bureau of Immigration and Deportation*



JOINT STATEMENT
JUNE 3, 1994

The Bureau of Immigration and the lawyer for the 10 foreign delegates to the Asia-Pacific Conference on East Timor (APCET) whose visas were cancelled/privilege to remain in the country were revoked and who are facing deportation charges today, agreed on the following after a closed-door meeting:

1. The ten (10) foreign delegates recognize the authority of the Bureau of Immigration over all foreign participants to the APCET. Thus they have sent over their lawyer, Atty. Alexander A. Padilla, in compliance with the summons issued by the Executive Chairman, Board of Special Inquiry, hearing their deportation case.

2. The foreign delegates subject of the deportation hearings, and all other foreign delegates to the APCET, have made a commitment to leave the country on or before June 11, 1994 and to desist from making further political statements or engaging in partisan political activities for the duration of their stay in the country.

3. The Bureau has acceded to the request of counsel for the delegates for the Bureau to revalidate their cancelled visas.

4. The Bureau further acceded to a request to remove the names of foreign delegates to the APCET which are at present in the blacklist. Atty. Padilla undertook to furnish the Bureau with a list of those names.

ATTY. ALEXANDER A. PADILLA
Counsel, Foreign Delegates
to the APCET

ATTY. RONALDO P. LEDESMA
Executive Chairman
Board of Special Inquiry

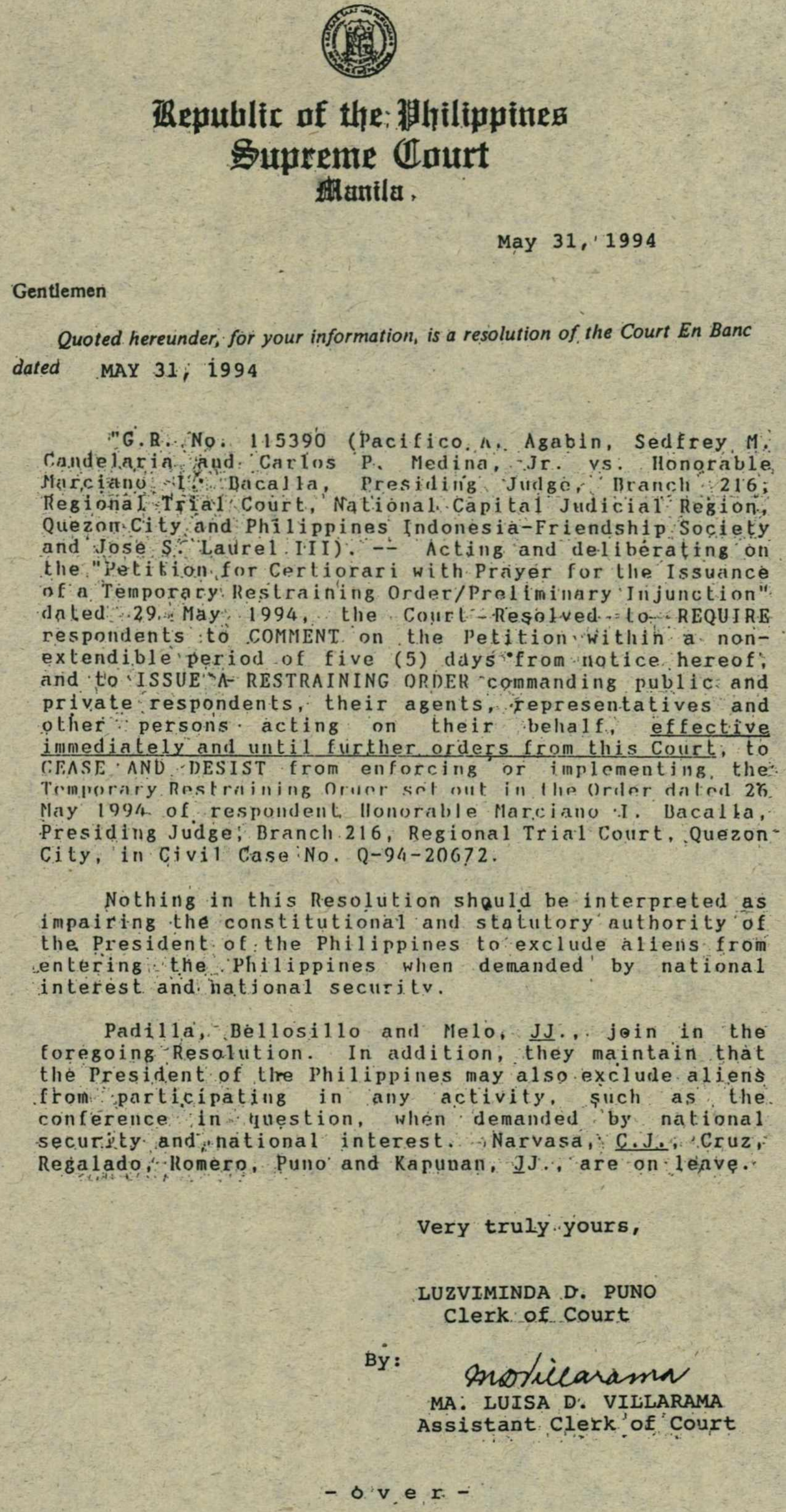
APPROVED:

ZAFIRO L. RESPICIO
Commissioner

BAYANI M. SUBIDO, JR.
Associate Commissioner

MANUEL C. ROXAS
Associate Commissioner

## Supreme Court Order Overturning TRO



Republic of the Philippines
Supreme Court
Manila.

May 31, 1994

Gentlemen

*Quoted hereunder, for your information, is a resolution of the Court En Banc dated* MAY 31, 1994

"G.R. No. 115390 (Pacifico A. Agabin, Sedfrey M. Candelaria and Carlos P. Medina, Jr. vs. Honorable Marciano I. Bacalla, Presiding Judge, Branch 216, Regional Trial Court, National Capital Judicial Region, Quezon City and Philippines Indonesia-Friendship Society and Jose S. Laurel III). -- Acting and deliberating on the "Petition for Certiorari with Prayer for the Issuance of a Temporary Restraining Order/Preliminary Injunction" dated 29 May 1994, the Court Resolved to REQUIRE respondents to COMMENT on the Petition within a non-extendible period of five (5) days from notice hereof, and to ISSUE A RESTRAINING ORDER commanding public and private respondents, their agents, representatives and other persons acting on their behalf, effective immediately and until further orders from this Court, to CEASE AND DESIST from enforcing or implementing the Temporary Restraining Order set out in the Order dated 26 May 1994 of respondent Honorable Marciano I. Bacalla, Presiding Judge, Branch 216, Regional Trial Court, Quezon City, in Civil Case No. Q-94-20672.

Nothing in this Resolution should be interpreted as impairing the constitutional and statutory authority of the President of the Philippines to exclude aliens from entering the Philippines when demanded by national interest and national security.

Padilla, Bellosillo and Melo, JJ., join in the foregoing Resolution. In addition, they maintain that the President of the Philippines may also exclude aliens from participating in any activity, such as the conference in question, when demanded by national security and national interest. Narvasa, C.J., Cruz, Regalado, Romero, Puno and Kapunan, JJ., are on leave.

Very truly yours,

LUZVIMINDA D. PUNO
Clerk of Court

By: mdvillarama
MA. LUISA D. VILLARAMA
Assistant Clerk of Court

- over -

G.R. No. 115390
TEMPORARY RESTRAINING ORDER
- May 31, 1994

*Judge Marciano I. Bacalla (x)
Presiding Judge, Branch 21
Regional Trial Court, National
Capital Judicial Region
Quezon City

*Mr. Jose S. Laurel III
117 Sarangani Street
Ayala Alabang Subd.
Muntinglupa, M.M. (x)

*Philippines Indonesia-Friendship
Society (x)
3rd Flr., Dominion Building
A. Arnaiz Ave., Makati, M.M.

Attys. Amparita S. Sta Maria
and Melencio S. Sta. Maria (x)
Counsel for petitioners
Ateneo Human Rights Center
3rd Flr., Ateneo School of Law
130 H.V. De La Costa S.J. Street
Salcedo Village, Makati
Metro Manila

Attys. Ezequiel S. Consulta,
et al. (x)
Counsel for private respondents
Laurel Law Office
15th Flr., JMT Corporate
Cond., ADB Ave., corner
Julia Vargas Avenue
Ortigas Center, Pasig
Metro Manila

The Solicitor General
134 Amorsolo Street
Legaspi Village, Makati
Metro Manila

ALREADY FURNISHED WITH COPY OF PETITION.

**Press Statement**
13 May 1994

## The East Timor Conference: Forging a People-to-People Asian Solidarity

ON DECEMBER 7, 1975 journalists monitoring a radio post in Australia intercepted a broadcast from Fretilin's radio in Dili:

"The Indonesian forces are killing indiscriminately. Women and children are being shot in the streets. We are all going to be killed ... This is an appeal for international help. Please do something to stop this invasion."

It was the day Indonesia launched a full-scale invasion of East Timor.

It took almost two decades and more than 200,000 deaths before that call is heard in Asia, or more specifically, the Philippines.

The plea will resound — and will be heard once more in the whole world — as some 200 human rights advocates and supporters of the Maubere resistance meet at the University of the Philippines on May 31 to June 4 for the Asia-Pacific Conference on East Timor.

### Indonesia's Arrogance and Power Tripping

Indonesia, Big Brother to members of the ASEAN, tried hard to keep the East Timor situation from scrutiny of the international community.

Despite three UN Security Council resolutions and eight from the UN General Assembly, the Suharto government remains in control of what it claims to be its 27th province following the results of a 1976 plebiscite which can be comparable only to the bogus "democratic" exercises under the Marcos dictatorship.

Indonesia has since claimed that the East Timor issue is its "internal affair."

This is still the same line the Indonesian government is using to stop APCET, which it claims to be an "interference" that may imperil official RP-Indonesia relations.

In a desperate attempt in diplomatic blackmail, an Indonesian spokesman threatened that the holding of the East Timor conference in Manila may affect the Jakarta-hosted peacetalks between the Philippine government and the Moro National Liberation Front (MNLF).

Unfortunately, it is the same line now being used by Philippine government officials. Despite the administration's official position that recognizes the inalienable right to freedom of expression, misinformed sectors within the Philippine government has maligned the APCET to be "insensitive to Indonesian sensibilities." Legislators, even those formerly aligned with the progressive block, have charged that the conference will jeopardize Mindanao trade relations with other ASEAN countries.

But official relations is not the concern of the conference. It is the task of the government to keep its partnership with other states while upholding the rights of its citizens. And it is most unfair, not to say diplomatically immature, of the Indonesian government to quell private initiatives in expressing solidarity with its Asian neighbors.

### Knowing Our Neighbors

For indeed, East Timor is more than just a neighbor. Among other peoples in Asia, it is with the

Timorese that Filipinos can find a lot of similarities.

Both East Timor and Philippines are predominantly Catholic, owing to centuries of colonization by Iberian powers — Portugal for Timor, Spain for the Philippines. Both have long history of struggle for freedom and democracy.

The APCET was clinched when Jose Ramos Horta, special representative of the National Council for Maubere Resistance (CNRM), met with who are now the Philippine Convenors Group during a PP21 meeting in Bangkok in 1992, before Jakarta offered to host the MNLF-GRP peacetalks.

The idea of Philippines hosting the East Timor conference is no different from what Indonesian Foreign Affairs Minister Ali Alatas said in his opening statement at the formal MNLF-GRP talks on October 25, 1993, and we quote:

> (The) Philippines is an integral element of the ASEAN body-politic, and any pain or setback that is suffered by one part of that body politic, caused by internal strife or upheaval, is acutely felt by all the other parts.

Filipinos, too, particularly those within the progressive movement, are concerned with regional peace and stability. The revolutionary situation in East Timor in the wake of continued Indonesian presence will remain a threat to a comprehensive and genuine regional growth unless addressed to upfront.

As citizens of the world who have experienced—and have shown—how it is to fight a dictatorship and boot out colonial masters, we cannot turn a deaf ear to the cries and wailing of widows and orphans; we cannot just close our eyes in the face of children who may never fully realize their human potentials; we cannot be insensitive to the pain of the murdered who are being reduced to statistics.

We have to reach out and extend our "kapitbisig" to our neighbors, not only those who are rich and powerful as what government wants us to do, but with those like us — the poor, deprived and oppressed, but struggling — like the people of East Timor.

That, we are sure, is the essence of a people to people solidarity.

---

## Asia-Pacific Conference on East Timor Press Statement

28 May 1994

### APCET Will Go on as Scheduled

IT was not surprising. As early as last week, we already knew that there were elements who wanted to try the legal path to stop this legitimate conference. We have in fact, through our legal counsel, Atty. Alexander Padilla, petitioned Quezon City Executive Judge Pedro Santiago, as early as May 20, 1994, that we be immediately notified of any petition seeking a restraining order against APCET and not to issue such. We were confident that the courts would uphold basic constitutional rights or at the least give us due process. It appears we were wrong.

We will not comment on the alleged petitioner's background, one Jose Laurel III, the chairman and president of the so-called Philippine-Indonesia Friendship Society who virtually labeled us collaborators and cohorts of the brave East Timorese resistance movement, a distinction actually, rather than an indictment. Nor will we comment on this group's history or objectives. We will not even comment on the composition of, PHILINDO, four of whom are said to be the children of this Jose Laurel III.

There are even other desperate moves to sow confusion about the conference. We have reports that an invitation letter purportedly signed by me has been circulating in Mindanao announcing APCET's postponement to next month at the Sheraton hotel. This is untrue.

Suffice it to say that I shall have to personally receive the so-called restraining order and our battery of lawyers are preparing for our own legal moves — if there should be any.

Suffice it to say that the Asia-Pacific Conference on East Timor will go on as scheduled.

And if I may quote one high government official who boasted about government's other recourse to this magnified issue: we too, the organizers, are not defenseless. We will never follow any unlawful order. But other supporters have indicated their desire to contest this alleged restraining order at the Supreme Court.

The conference will go on. The truth that Indonesia and its collaborators and cohorts in the Philippine government vainly want to suppress about East Timor will be told. And that truth is sadly what is also happening now in the Philippines, the 28th province of Suharto's Indonesia.

For more than 200,000 East Timorese killed since 1975, the conference will be their vindication, their resurrection.

And surely, ours too.

⌘

# Asia-Pacific Conference on East Timor

18 June 1994

THE Asia-Pacific Conference on East Timor has successfully concluded. But the Ramos government's "damage-control" efforts seem to never end.

After Indonesian President Suharto had said he is satisfied with the way Fidel V. Ramos handled the East Timor "fiasco" in Manila, here comes the presidential "manang," Sen. Leticia Shahani, delivering a promise to Jakarta that there will not be another APCET in Manila. Scratch my back and I'll lick your boots is the name of friendship in this game of the generals.

Ramos' message to Suharto is not just a meek apology and comforting reassurance, it smacks of betrayal of our sovereignty, denigration of national dignity, and a threat to the Constitutional right to organize and the freedom of expression.

But here is "bad news" for the Suharto's administrators in Manila: APCET, the conference has given way to APCET the coalition with Manila as base office. Our chair, Bishop Emeritus Aloisius Nobuo Soma, will be flying in from Nagoya, Japan regularly and definitely not just to say mass. The Philippine Convenors, in turn, now forms the nucleus of the local counterpart, the Philippine Solidarity for East Timor (PSET).

Then Asia-Pacific Coalition for East Timor is the most logical conclusion to advance the conference objective of bringing into focus the East Timor situation. After the papers have been read and the situation has been presented, it has now come to effecting concrete measures to help stop the killings, the arrests and tortures and bringing back to the Maubere people their collective dignity and right to chart their own future.

This is very well in accordance with the United Nations charter on the International Declaration of Human Rights to which the Philippines is a signatory. This is the same principle the Philippines adapted in support of Indonesia's struggle against the Dutch. And the very principle that the United Nations has reaffirmed in the Security Council and General Assembly resolutions it has passed in condemnation of Indonesia's occupation of East Timor.

The international community has recognized the Filipino people's tradition of upholding democracy. Only its government, blinded by its myopic view of national interests, fails to see this. Instead, it chooses to kowtow to the wishes and caprice of the dictator's "friends."

But as we have proven in EDSA, in APCET and in our numerous struggles, democratic ideals always triumph. These are the lessons we share with the East Timorese. These are the victories the struggling peoples of the world eventually achieve. ⌘

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# Asia-Pacific Conference on East Timor

# Press Statement

24 June 1994

THE Philippine Convenors of the recently concluded Asia-Pacific Conference on East Timor (APCET) view with grave concern the Suharto government's closure of two news weeklies and a tabloid in Jakarta.

While Indonesia is not necessarily known for democracy which upholds freedom of expression, it is not nonetheless vital for a modern and civilized society to guarantee a free exchange of information and ideas.

No reason was given for the closure except that "the publications have been reminded...and thus are considered to be aware of the government's warnings."

Indonesia's information ministry also said there will be sanctions against "several publications" who do not apply the journalistic code of ethics and who "cover stories that upset national interest."

It may be expected of an authoritarian regime to clamp down on whoever or whichever runs counter to its set rules no matter how absurd or whimsical these may be. But that the closures came in the aftermath of APCET make the motives unmistakably clear to observers of Indonesian policies.

After failed desperate attempts to stop the APCET meeting in Manila, Suharto turns his wrath to his own people whom he suspects of rocking the Indonesian boat. But as in the APCET, this too will soon backfire on him.

But tyrants do not learn their lessons easily. Or could it be true that whoever God wish to destroy, he first makes mad? Suharto is blinded by his rage and embarrassment that he is no longer just desperate—he has become maniacal in trying to hold onto his power.

Marcos committed the same error then. And history has judged him. The people's will triumphed in the end. ⌘

# OPINION TODAY

**TODAY**

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## Had

IT looks like we were had by psywar experts in the administration. Yesterday we editorialized against the holding of what we termed—we thought ever so cleverly—as "Son of APCET." It turns out that we were lashing out at a straw man. Who set it—and the public—up? Read below the response of the first APCET organizers.

## The pits of paranoia

IT does not matter whether a second Asia-Pacific Conference on East Timor (APCET) will indeed be held or not in Davao City.

"What riles us is the knee-jerk reaction (again!) of our highest government leaders which smack of the darkest paranoia.

"They have not learned.

"They even have the temerity to publicly announce that they will again ignominiously surrender to the bullying of Indonesian strongman General Suharto by barring aliens to an APCET II if this is in fact held to coincide with the East Asia Business Growth conference.

"For what is at stake here? The much-touted ₱160 billion worth of potential investments from Indonesia? 200,000 nonexistent jobs? Or the human rights, er, lost profits of the business elite of Manado, Jakarta and Davao?

EDITOR: **JOMAR KHO INDANAN**

"We have said it before and reiterate: that one human life sacrificed at the altar of greed whenever and wherever, deserve the strongest condemnation from all civilized peoples of the world. More so if over 200,000 East Timorese lives buried in their country's bleeding earth cry out for justice and vindication.

"Now they blame the APCET organizers for being at it again and doing an overkill for allegedly planning APCET II.

"For the record, there are no plans for this so-called APCET II. APCET was a historical watershed not only for bringing the East Timor issue to the fore but also for the Filipino people's unmitigated passion for human rights.

"We do not intend to squander these gains. But we cannot stop so-called psywar experts of this administration in trying to wean public opinion away from this victory in their foolish games. Or from being *'pikon.'*

"Blame Suharto instead for forcing open the lid on Indonesia's darkest, bloodiest secret. Blame Suharto and his minions for being the 'originals' in the business of creating 'killing fields' and Bosnias even before it was in vogue.

"Blame the Suharto regime instead for the more than 200,000 deaths and the still prevailing terror it has wreaked in East Timor since it forcibly annexed this tiny but oil-rich Catholic country in 1975.

"And blame the tottering Suharto regime for clamping down on Indonesia's stirring democratic movement. (It would make good sense for our leaders to pay close attention to this.)

"For the truth is that East Timor will never again be swept under the Asean solidarity rug.

"The Philippines led the way by hosting the APCET a month ago. Malaysia followed suit and hosted a one-day forum on East Timor, ignoring Indonesia's tantrums. Thailand was the site of a people's tribunal finding Indonesia guilty of genocide in East Timor. Sooner than later, the voice of all peoples from the Asean states and the world over will reverberate in unison, upholding not only the human rights of the East Timorese but of all—including their own citizens.

"Soon East Timor will be free. Soon Jakarta will likewise be free.

"And perhaps, soon we shall be freer."

# Acknowledgments

IN behalf of the APCET organizers, the Initiatives for International Dialogue would like to thank all those who helped make the conference possible. And specially to the following persons and/or organizations for their unremitting support and commitment:

Archbishop Jaime Cardinal Sin
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Ateneo Law School
Ben Arias
Bong Cura
Buboy Garcia
Carling Nepomuceno
Chat Garcia
Chimen Salvador
"Cultural Kids"
Danny Ardaniel
Danny Arias
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Deborrah Evangelista
Dicky Castro & company
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Egoy Bans
Elaine Aranjuez
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Herman Capulong
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Thea Salonga
The Diokno Family
The International & Local APCET Convenors
The Jesuit Community
Titus Brandsma
U.P. Community

Our thanks also to all those who helped bring this book to being. To Daphne Peralta, for her patience in transcribing the speeches and other materials; to John Lamb; to Fides Ragragio, for finally putting together all the materials contained in this book and in preparing it for publication; to Jude Cabusao for his assistance especially in finalizing this book. Our thanks also to those who have to remain nameless and anonymous but who have contributed immense political, moral and logistical support to this undertaking. Our apologies to the countless others we may have inadvertently omitted.

APCET

We made it!

APCET, the conference has now given way to APCET, the coalition.
Although the work ahead is daunting, it is likewise challenging and inviting.
May we take this time to thank you for being part of APCET's historical evolution.
We could not have pulled this off without your support, concern, advise and company.
Soon, East Timor will be free.
Soon, Jakarta will also be free.
And perhaps, soon, we shall be freer ourselves.
Thank you again so much.
Mabuhay!
A luta continua!

* * *

Initiatives for International Dialogue
*Secretariat of the Asia-Pacific Conference on East Timor and*
*Asia-Pacific Coalition for East Timor (APCET)*

Conference
East Timor
(APCET)
TODAY
CHRONICLE
BID slams door on 23 aliens
MAKE OR BREAK
20 aliens in Timor confab face arrest
Standard
UP disallows Timor confab
RP, Indonesia row worsens
Ramos orders Tiamzon release
BID screws up
East Timor will be

# errata

pp. 128 - List of participants blacklisted by the Bureau of Immigration.

1. Michel Robert was not deported nor did he attend the conference.

2. Saskia Kouwenberg attended the conference.

APCET

ASIA-PACIFIC COALITION
FOR EAST TIMOR

March 03, 1995

Dear Luisa Teotonio- Perreira
IPJET

Warm greetings from the Asia-Pacific Coalition for East Timor (APCET)!

Finally, we're off the press.

Please find enclosed your complimentary copy of "Free East Timor", the official report cum proceedings of the Asia - Pacific Conference on East Timor held in Manila last year.

If you need additional copies, please do not hesitate to place your order now. It only costs US$ 6.00 inclusive of postage.

We hope you find this document of significance and value.

May we take this opportunity to thank you for your continuing commitment and support for the struggle that is East Timor.

Please do not hesitate to let us know how we can be of further service to you.

With our very best wishes and warmest regards.

A luta continua!

Very truly yours,

Miclat J.

AUGUSTO N. MICLAT, JR.

*#2 Matulungin Street, Central District, Diliman, Quezon City, Philippines ● Telefax 921-6774 ● email: iid@emc.gn.apc.org*

A P C E T

# ASIA-PACIFIC COALITION FOR EAST TIMOR

## WE'RE IN BUSINESS!

Starting March 1995, the Asia-Pacific Coalition for East Timor will come-out with a four-page bi-monthly issue of ESTAFETA, its official publication.

All affiliates and friends of APCET are encouraged to submit articles on any development regarding East Timor. Position papers, analysis and announcements are also welcome. A section of the newsletter will be reserved for articles on women.

Donation and subscription (rates to be announced later) to the newsletter are welcome.

**VIDEO/BOOK/T-SHIRTS/VIDEO/BOOK/T-SHIRTS/VIDEO/BOOK/T-SHIRT/VIDEO/BOOK/T-SHIRTS**

**The following are available from the Secretariat upon request:**

**VIDEO** *(40.00 US dollars including postage, NTSC or PALSECAM)*

"Breaking the Silence"
video documentary of the Asia-Pacific Conference on East Timor

**BOOK** *(6.00 US dollars including postage)*

"Free East Timor"
conference proceedings and documents of the Asia-Pacific Conference on East Timor

**T-SHIRTS** *(12.00 US dollars including postage)*

Two (2) designs "Free East Timor" and "Indonesia Out of East Timor!" slogans with ethnic background
Two (2) colors, BLACK and WHITE

---

**(Please cut and mail this portion to the APCET secretariat. For orders of APCET video, please indicate the system: PALSECAM or NTSC)**

ORDER FORM

| ITEM/S | UNIT/S | COST |
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| | | |
| | | TOTAL$ |

Enclosed is $__________ in US dollar check as payment for the items I ordered above, Please send the items to the address below:

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# ASIA-PACIFIC COALITION FOR EAST TIMOR

## BE AN APCET AFFILIATE!

APCET is a coalition of local, national, regional, sub-regional and international organizations and institutions that have or are willing to get involved in solidarity initiatives on East Timor. It is an offshoot of the much-ballyhooed Asia-Pacific Conference on East Timor held in Manila in May, 1994.

At the APCET council meeting held in Bangkok on February 5-6, 1995, it was decided that affiliation should be formalized for all organizations that have signified their intention to be part of APCET. It was also decided that all national, sub-regional, regional and international affiliates of APCET shall pay an annual affiliation fee of $50.00 to help defray coalition expenses. Local affiliates may pay depending on their capability.

Local affiliates are organizations in each country which are not national in character. They may become part of APCET if they are not a member of an existing national affiliate to APCET. However, the Council encourages local organizations to be part of existing national affiliates.

The Council also decided that organizations which are national, sub-regional, regional or international in character may affiliate with APCET and may have full voting rights in the Council. Local affiliates may attend Council meetings but will not have voting rights.

The Council has elected a Steering Committee composed of the following: Max Lane (Australia), Freddie Gamage (Sri Lanka), Boonthan Verawongse (Thailand), Renato Constantino, Jr. (Philippines), Rachland Nashidik (Indonesia), Kiyoko Furusawa (Japan), Maria Pakpahan (Indonesia/Women) and Gus Miclat who was unanimously re-elected APCET coordinator.

The APCET Secretariat will also remain at the Initiatives for International Dialogue (IID) in the Philippines.

---

**(please cut and mail this portion together with affiliation form)**

__________ We would like to affiliate with APCET. Enclosed is our affiliation fee of $50.00. (payments can also be transferred to Initiatives for International Dialogue (IID) FarEast Bank and Trust Company, Diliman Branch, US dollar account no. 1148-01873-4. Checks payable to IID can be sent directly to Secretariat address: 2 Matulungin Street, Central District, Diliman, Quezon City 1101, PHILIPPINES.

__________ We would like to affiliate with APCET. We will send our affiliation fee later.

__________ We are still deciding. Please put us on the APCET mailing list.

*#2 Matulungin Street, Central District, Diliman, Quezon City, Philippines ● Telefax 921-6774 ● email: iid@emc.gn.apc.org*

# APCET AFFILIATION FORM

name of organization ____________________________________________
acronym of organization __________________________________________
address of organization __________________________________________
date founded ______________________

phone/fax no.____________________ EMAIL ______________________

objectives/thrusts ____________________________________________
______________________________________________________________
services offered/programs ______________________________________
______________________________________________________________
areas covered/geographical scope of work __________________________
______________________________________________________________
affiliations __________________________________________________

key contact person ____________________________________________

position in organization _______________________________________

alternate contact person _______________________________________

position in organization _______________________________________

number of members _______________ number of staff _______________

type of organization (PLEASE CHECK)

_________ people's organization
_________ non-government institution
_________ coalition
_________ others, please specify ______________________

PLEASE FILL-UP AND MAIL THIS FORM TO:

Mr. Augusto N. Miclat, Jr., Coordinator, APCET Secretariat,
2 Matulungin Street, Central District, Diliman, Quezon City 1101
PHILIPPINES

for inquiries:

PHONE/FAX 00-63-2-9216774
EMAIL IID@EMC.GN.APC.ORG

submitted by:

date: